

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD Monday November 12, 2024**

Comes now the hour of 8:30 am. on the 12th day of November, 2024 in the Commissioners Room in the Noble County Annex building, Albion, Indiana, being the time, date and place set for a regular session of the Board of Commissioners of Noble County, Indiana.

Present were:

Gary Leatherman, President
Anita Hess, Vice President
Gary Timmerman, Member

Also present were:

Jacqueline Knafel, County Coordinator
Dennis Graft, Noble County Attorney
Matt Getts, KPC Media
Zack Smith, Highway Engineer

Gary Leatherman, Commissioners President, brought the meeting to order at approximately 8:30am.

CORRESPONDENCE

- Letter concerning speed on Old State Road 3 and Baseline Road from a resident – duly entered
- IDEM - Zoeller Motor Works -Air permit
- Baker Tilly - Ligonier Economic Development Allocation Area
- Clerk of the Court – monthly report for October

MINUTES

Minutes of the previous meeting were read and approved as corrected with a motion from Anita Hess and a second from Gary Timmerman. Motion carried 3-0.

CLAIMS

A report of claims dated 11/12/24 contained 11-pages and totaled \$270,416.33. Motion to approved the claims came from Anita Hess. Gary Timmerman seconded and the motion carried 3-0.

PAYROLL

Payroll dated 11/14, 2024 was reviewed. This 3-page report totaled \$501,836.68. Motion to approve the payroll came from Gary Timmerman with a second coming from Anita Hess. Motion carried 3-0.

OLD BUSINESS

- Gary Leatherman updated the commissioners on the OKRA grant for the LaOtto Sewer District. He had spoken with Matt Brinkman from Region -3A and Matt assured him that the grant will NOT have any financial responsibility from the county for any aspect of this project. This project had a projected estimated cost of over \$3.6 million. Anita Hess moved to sign the paperwork associated with submission of the proposal for the grant. Gary Timmerman seconded the motion. Motion carried 3-0.
- Findings and orders as approved at the previous meeting were signed.

NEW BUSINESS

- The operating contract for the public transit for the council on aging was discussed, as well as the consent for vehicle purchases. County Attorney, Dennis Graft, had some questions so further action was tabled until these questions could be answered.
- Health Department Board Appointments- The Health Department is requesting the reappointment of three members to serve an additional 4 years on their board. Anita Hess moved to appoint Gerald Warrener, MD, Phillip Corbin, MD and Jennifer Lortie, DVM to serve another 4-year term on the board. Gary Timmerman seconded and the motion carried 3-0

HIGHWAY

Richard Rogers, Highway Superintendent, updated the commissioners on the construction work at the highway.

- HMA 2024-01 is complete with striping the only thing left to do.
- HMA – CN-01 – Richard reported that Pulver's is hoping to get a least some of the project done this year – weather depending.

Zack Smith, Highway Engineer, has the following engineering business to bring before the commissioners:

- Zack is provided a ‘Notice to Bidders’ for approval for the upcoming annual bids for the county. Anita Hess moved to approve the advertising of the notice. Gary Timmerman seconded and the motion carried 3-0.
- Zack has financial commitment letters for 3 projects that he is considering for future LPA projects. The projects considered are Bridge 75, Bridge 67 and Baseline Road. Zack told the commissioners that these were brought before the Noble County Council as well and only the bridges were considered by the council. The Baseline Road project would be a huge financial commitment and they thought that the county funds that it would require would be better served across the county not just in that location. Bridge 67 is on 450 W crossing the Elkhart River chain. This is at a cost of \$3.88 million. Gary Timmerman moved to sign the Financial Commitment letter for Bridge 67. Anita Hess seconded. The motion carried 3-0. Bridge 75 is on River Road just south of Albion at a cost of \$3.79 million. Gary Timmerman moved to sign this letter as well, with a second coming from Anita Hess. Motion carried 3-0. Further discussion was made about the Baseline Road. Zack told the commissioners that while this is a beneficial project, it is a large spend at over \$11 million dollars. It was then the indication from the commissioners that this would not be approved for submission for an LPA project at this time.
- 400N - during the pre-final inspection there were 3 small issues that were found and will be taken care of prior to final approval, but the road is now back open for traffic.
- Bridge 136 – pictures were provided. This is nearing completion with the bridge to open prior to Thanksgiving. Paving will take place this week.
- Bridge 44 - Pictures were provided for this project as well. This will be opened the week of November 18th.
- Bridge 134 - While waiting on a “notice to proceed” from the railroad, the company is still working with residents on the right of ways. There is an LPA voucher in the amount of \$11,605.00 for preliminary engineering on this project. Gary Timmerman moved to approve the LPA voucher. Anita Hess seconded. Motion carried 3-0. There is also an LPA voucher for right of way. This is in the amount of \$2,707.00 and is approved with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0.
- Bridge 59 - There is also an LPA voucher for Bridge 59 for preliminary engineering in the amount of \$10,020.00. This is approved with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0.
- Bridge 61 and 56 – FMIS have been submitted for both projects – continue to wait on response from INDOT.
- CR 50 E - Zack reported that he has reached out to Scott Ziegler again recently and has had no response from him to date.
- Mileage Certification – Zack told the board that the certification is being advertised with the public hearing to be held on November 25, 2024
- Eagle Island Road --- there will be a public hearing held on this project on November 25, 2024 as well.
- Zack shared the title work on the access parcel off of 415 N. There were findings of a wind farm lease for the area. Zack indicated that the only part of this associated with the highway was that of a driveway permit being issued. Dennis Graft suggested that the party wishing to vacate this begin the proceedings.

COURTHOUSE RENOVATION

Zack Smith, Project Manager, updated the commissioners on the Courthouse Renovation Project:

- Minutes of meeting #20 were provided.
- Pictures of different areas of the courthouse and Zack updated the group on the work being done by several of the contractors.
- With work being done from the top to the bottom floors, the 3rd floor is nearing completion. A punch list has been created with the initial inspection of the 3rd floor.

- PCO 63 – this is for 1st floor drywall in the amount of \$4,339.61 to be charged to contingency. Gary Timmerman moved to approve the change order. Anita Hess seconded. Motion carried 3-0.
- PCO 72 – This is concerning the elevator and the electrical changes that are needed with the new elevator. This is in the amount of \$5,043.33 and is approved with a motion from Gary Timmerman. Anita Hess seconded. Motion carried 3-0.
- PCO 88 – second floor preparation. This is in the amount of \$2,084.92, Gary Timmerman moved to approve the change order. Anita Hess seconded. Motion carried 3-0
- PCO 89 – Gary Timmerman moved to approve the change order in the amount of \$375.58 for the clock tower disconnect. Anita Hess seconded and the motion carried 3-0.
- PCO 91 – this is concerning the West Entrance. The ceiling for the first floor will need to be raised to accommodate the 8' door. This is in the amount of \$3,709.02 and is approved with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0.
- PCO 95 – Zack told the commissioners that he had initiated this work, thinking that while crews were on sight that the exterior railings need painting. The PCO is in the amount \$2,593.51 and is approved with a motion from Gary Timmerman and a second from Anita Hess. The motion carries 3-0.
- PCO 96 - this is a credit for the Irrigation system in the amount of \$800.00. Motion to approve came from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- PCO 98 – Border Tiles in the courtrooms - Change order is in the amount of \$1,893.50. Gary Timmerman moved to approve. Anita Hess seconded. Motion carried 3-0
- PCO – PR 6 - this is for the West Entry scope to be transferred to Weigand. The cost being \$7,099.74, Motion to approve came from Gary Timmerman with a second coming from Anita Hess. Motion carried 3-0.
- PCO 99 – This is concerning power for the irrigation system at a cost of \$443.51. Gary Timmerman moved to approve. Anita Hess seconds and the motion carried 3-0.
- With the contingency balance getting low, Zack is requesting permission to move \$10,000.00 from owner contingency to pay for any upcoming PCOs. Anita Hess moved to approve the money being moved. Gary Timmerman seconded and the motion carried 3-0.
- FFE - this is on schedule for installation in February of 2025.
- Art Entry – the estimated cost of the entry to the courthouse. This is thought to be at a cost of \$119300.00 Anita Hess moved to proceed with this project with funding to come from the CREDIT Fund. Gary Timmerman seconded and the motion carried 3-0.
- Pierceton Wood Academy is working on the wall for Judge Clouse's Court. Weigand will install.
- Zack has placed the orders for the refrigerators in the jury rooms.
- Zack asked the commissioners to be thinking of a grand opening date. Completion is expected in January with the FFE to be installed in February. Expecting to be moved in by April of 2025.
- The commissioners will do a walk-through next meeting.

BEAR LAKE PROPERTY

Tom Wigent was present to discuss an issue about a property that he purchased at Bear Lake. It was bought at a Sheriff's sale. There was a platted alley that was never used and back in 1994 the owner at the time petitioned the commissioners to vacate the alley. The vacation was approved by the Board of Commissioners at the time PENDING the recording of a Quit Claim deed. The owners went ahead and built so currently part of the home is sitting on the alley as the required deed was never recorded. Mr. Wigent is wanting this taken care of before he records his sheriff's deed which was issued in 2022. County Attorney Dennis Graft suggested that Mr. Wigent start over on the vacation process. He will need title work, a legal description of the alley, proof of notification to other property owners and proof of advertisement.

COUNCIL ON AGING

In a phone conversation with the Amy Craft from INDOT, the questions that Dennis had about the transportation contract were answers. Amy indicated that the numbers indicated were that of the application submitted by the local COA Director Cheriah Mishleau. As far as the question about tax liens, Amy told Dennis Graft that she had just done a check with the IRS and nothing had showed up in the search. There was a question from 2018 about payroll taxes that County Auditor

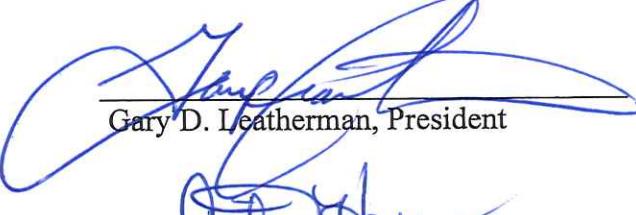
has been trying to clear up with the IRS. Reports were submitted, and taxes were paid with proof of canceled checks etc. but still questions are being asked. Anita Hess moved to approve the signing of the operating contract making note that per the conversation with Amy Craft her search shows no liens or unpaid taxes for the county. Gary Timmerman seconded. Motion carried 3-0.

The electronic signing of the form for 3 vehicle purchases for Council on Aging was approved with a motion from Anita Hess and a second from Gary Timmerman. Motion carried 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11:02 am recessed from day to day until November 25, 2024

Dated this 25th day of November, 2024


Gary D. Leatherman, President


Anita Hess, Vice President


Gary Timmerman, Member

ATTESTED: Michelle Mawhorter
Michelle Mawhorter, Auditor