

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

Comes now the hour of 8:30 am. on the 12th day of August, 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 L 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.

HEALTH DEPARTMENT

Carrie Ryan, Health Nurse, was present to request an increase to their purchases without commissioner's approval. She is wanting to set the limit at \$5,000.00. The commissioners seemed to be on board with this approval and asked the county attorney to draft an ordinance to that affect. Approval will come once the ordinance is presented to the commissioners. Carrie gave several examples of purchases for the local schools that continually exceed the now \$500.00 limit.

Secondly, Carrie is asking permission to get a credit card for their department. She told the commissioners that many times she can get supplies cheaper through Amazon and that the credit now being used that is shared by many departments and has a limit of \$3,000.00 is not available for use when needed. Shelley Mawhorter suggested that they look into getting their own card. The commissioners will be discussing the finalization of the handbook and will discuss this further during that discussion.

WARRANTY DEEDS for ALBION ROAD EXCESS PARCELS

Warranty deeds were signed for parcels 1 and 2 to Swihart Properties LLC and parcels 3,4, and 5 to D & P Busche Farms LLC. Motion to sign the deeds came from Anita Hess and was seconded by Gary Timmerman. Motion carried 3-0

LANDFILL

A change order in the amount of \$7,806.00 was received from Wilcox Environmental for new gas probes to be installed at the landfill. Two of the current gas probes GP-02 and GP-04 were full of silt and needed to be replaced. The new gas probes will be GP-02R and GP -04R. Motion to proceed with the installation of the new gas probes came from Gary Timmerman. Anita Hess seconded and the motion carried 3-0. A copy of the approval was sent via e-mail to galfrey@wilcoxenv.com on Tuesday August 13, 2024.

EXEMPT

Dave Baum, IT Director, is asking that an employee in his department go to exempt status. Anita Hess moved to approve the exempt status. Gary Timmerman seconded. The motion carried 3-0.

KONE

The contract with KONE that Glenn Ryan had provided had a few discrepancies that the attorney advised be corrected prior to signature. Jackie will get with Glenn to get this corrected for the next commissioners' meeting.

PURDUE EXTENSION CONTRACT

Ann Kline has provided a copy of the Purdue contract for 2024 to be signed by the commissioners. This is for 3 employees from Purdue for services here in Noble County in the amount of

HIGHWAY

Richard Rogers, Highway Inspector, was present for the following:

- Driveway Variance -Joel Hochstetler, a resident on 500 W is requesting a driveway variance. The selected driveway location is short on sight distance so Richard is recommending that this variance come with a hidden drive sign at the resident's expense. Gary Timmerman moved to approve the variance with the stipulation of the hidden drive sign. Anita Hess seconded. The motion carried 3-0.
- Driveway Variance – Carl Hegenauer is requesting a variance for a 2nd drive on his property. Richard found no sight or drainage issues. Gary Timmerman moved to approve with a second coming from Anita Hess. Motion carried 3-0.
- Driveway Variance – Seth Carter on 550 S is requesting a second drive which is located too close to an existing drive. Richard told the group that his plans to eventually split the property was the reasoning for the request. Motion to approve the variance was made by Gary Timmerman. Anita Hess seconded. Motion carried 3-0.
- Driveway variance - A driveway variance for Erin Gonzales on E Union St was reviewed. This is 125 ft short on sight distance. Motion to approve the variance came from Gary Timmerman with a second coming from Anita Hess. Motion carried 3-0.

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

- The department has located a used semi to replace the existing one. The cost is \$46,073.50. Zack is requesting permission to purchase this piece of equipment. Anita Hess moved to approve the purchase from Ken Lugibihl Auto & Truck Sales. Gary Timmerman seconded. The motion carried 3-0.
- There is also a need for a new roller at the department. The current one is being leased and the company will take off the \$13,500.00 paid for the lease if it is purchased. This will leave the purchase price at \$60,000.00. Anita Hess moved to allow the department to purchase the roller from Rudd Equipment for \$60,000.00. Gary Timmerman seconded. The motion carried 3-0.
- Zack indicated that the department was looking at a new truck and hope to get it ordered prior to new emission changes which will increase the price. This is just information for the commissioners at this point.
- Community Crossing projects – Zack reported that he has received the necessary paperwork back from the state and is hoping that the paving project that was awarded to Phend and Brown will begin shortly.
- Bridge Inspection - there is an LPA voucher for the countywide bridge inspection in the amount of \$2420.47. Motion to approve came from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- 400 N - paving is progressing with this project and Zack is hoping this project will wrap up by the end of this month. There is an LPA voucher for Construction Engineering in the amount of \$26376.61 which is approved with a motion from Gary Timmerman. Anita Hess seconded the motion. Motion carried 3-0.
- Bridge 136 – Zack provided an update on the construction of this project and provided pictures of the progress. With most of the work being completed on the south side - the concentration of the project has switched to the north side. An LPA voucher was received in the amount of \$500.00 for this project. Gary Timmerman moved to approve. Anita Hess seconded. The motion carried 3-0.
- Bridge 44 - Zack gave a construction update for this project and provided pictures of the progress.
- Ball Road - Zack has a contract amendment for design cost for this project which resulted in \$0.00 change to the construction cost. Anita Hess moved to sign the amendment with Lawson Fisher. Gary Timmerman seconded. Motion carried 3-0.
- Bridge 134 – an LPA voucher in the amount of \$5760.00 was received for preliminary engineering. Gary Timmerman made the motion to approve the voucher. Anita Hess seconded. Motion carried 3-0. Zack informed the commissioners that a property owners meeting was held and it went very well.
- Bridge 69 – There was an LPA voucher for this project as well in the amount of \$644.30. Motion to approve came from Gary Timmerman. Anita Hess seconded. Motion carries 3-0

- Bridge 59 – Zack has a consulting contract for Bridge 59 with Butler Fairman & Seufert. Motion to sign the contract came from Gary Timmerman and was seconded by Anita Hess. Motion carried 3-0. There was also an LPA voucher for this project for preliminary engineering in the amount of \$6375.00 which was approved with a motion from Gary Timmerman.
- Bridge 61 and 56 – Zack reported that he is working on getting the contracts completed for these two projects.
- Albion Road clean up - Zack was contacted by a resident about an easement vacation. Zack will contact the individual letting him know the process for vacations.

DRAINAGE ISSUE 150 E and 400 N

Dave Smith, a resident at the corner of 150 E and 400 N was present to discuss water coming onto his property after the new construction on 400 N. He told the commissioners that he is losing more and more ground due to water issues. He indicated that the closest legal drain is about ¾ of a mile away. Richard and Zack were both in attendance and told the commissioners that the culvert under the road has always been in that location and it is mainly due to the new construction the water is moving faster, but there were no changes done during the reconstruction of the road. Mr. Smith told the commissioners that the surveyor is aware of the problem, so the commissioners will discuss this further with the surveyor during the drainage board meeting to follow.

COURTHOUSE AGENDA

Zack Smith, Project Manager, provided the following update for the construction at the Noble County Courthouse:

- Zack provided a copy of the meeting minutes #14 to the commissioners as well as project schedules.
- Zack told the group that work continues to “work its way down” from the 3rd floor to the bottom with Weigand and sub-contractors.
- PCO #38 – A change is needed for an elevator battery backup. This PCO is in the amount of \$390.00 and is a credit to contingency. Motion to approve came from Anita Hess. Gary Timmerman seconded. And the motion carries 3-0.
- PCO #47 – adding baton strips in the courtrooms – this will be done at a cost of \$9,637.16 to contingency and was approved with a motion from Anita Hess and a second from Gary Timmerman. Motion carried 3-0.
- PCO #48 – There was a change requested to the Circuit Court Transaction counter. This is at a cost of \$1,143.42 to contingency. Anita Hess moved to approve the change order with a second coming from Gary Timmerman. Motion carried 3-0.
- PCO #64 – There was an unforeseen issue with some of the walls as far as framing and drywall etc. This came in at \$6,061.76 to contingency. Anita Hess moved to approve. Gary Timmerman seconded. The motion carried 3-0.
- PCO #71 – lastly there was a modification on the finish on the doors. \$863.84 was charged to contingency for this PCO. Anita Hess moved to approve the change. Gary Timmerman seconded and the motion carried 3-0.
- Zack provided illustration for the entry wall display at the courthouse. This will be finalized at a later time.

HILLIARD VACATION LAOTTO

Dale Hilliard, resident of LaOtto, represented by Attorney Robert Hardy, is requesting that right of way in LaOtto be vacated. Josh Brames, owner of the LaOtto Brewery is present on behalf of Mr. Hilliard as the prospective buyer of the property. A petition, survey etc. was all presented in accordance with the vacation process. Gary Timmerman moved to approve the vacation of the right of way. Anita Hess seconded. Motion carried 3-0. Findings and Facts as well as an ordinance was signed for this vacation. Copies were sent to Dennis Graft for distribution.

TRI – SHARE PROGRAM

Jenna Anderson was present to discuss some changes to the Tri-Share program guidelines. She updated the commissioners on the program that the county has contributed \$50,000.00 to in order to get the program initiated. Jenna indicated that employer participation has been slow but they have some employers participating. She mentioned West Noble Schools, CSB and Kendallville Day Care facilities. Central started an in-house day care for staff members only for the first time this year costing the employee \$25.00 a day. The revision that Jenna is requesting is changing the level from 400% above poverty level to 300% to make it uniform with a regional guideline.

Motion to approve this change came from Gary Timmerman. Anita Hess seconded. The motion carried 3-0.

EMA UPDATE

Gabe Creech and Ann Carpenter from the EMA department came before the commissioners to update them on some training that they had recently attended. This was a week-long training and was an incident management class. This reviewed plan from 3-1 with one being the worst such as extensive hurricane damage. They brought back many ideas of how to manage incidents as they arise. This training will also allow Noble County to assist with other counties and states if the need arises. Ann indicated that this training normally would cost \$45,000.00. It was offered locally and at no cost so a huge opportunity for the EMA department and the county.

PROBATION UPDATE

Jared Owen, Chief Probation officer, came before the commissioners with an update for the probation office:

- Jared said that there are currently 653 people under supervision with 357 pending cases.
- Community Corrections has 338 participants.
- Juvenile cases stand at 49 with 57 pending cases
- There are 41 in the problem-solving court which is drug court/vet court combined.
- There are 427 cases that involve drugs or alcohol.
- And 62 active pretrial cases.
- The department is working to fill 2 vacancies in the department.
- The work release cases are at a maximum at this time.
- The department is still awaiting certification for the problem-solving court.

COUNCIL ON AGING

Cherish Mishleau, Council on Aging Director, was present for approval of the second quarter report. The COA is requesting \$119,941.00 in this second quarter which is approved with a motion from Anita Hess and a second from Gary Timmerman. Motion carried 3-0.

CORRESPONDENCE

- Clerk of the Circuit Court monthly report for July of 2024 – duly entered
- Plan commission – Approval of subdivision Chalk Acres – duly entered
- IDEM – MSOP renewal for Quick Tanks
- IDEM – FESOP Admin Amendment for Kraft Heinz Foods
- IDEM – Hollingshead Mixer New Source Construction
- County Treasurers monthly report for July 2024 – duly entered

MINUTES

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

CLAIMS

Gary Timmerman moves to approve the 15-page report in the amount of \$445,683.41 dated 8/12/2024. Anita Hess seconded the motion. Motion carried 3-0.

MISC CLAIMS

Miscellaneous claims for the month of July were also reviewed. This was a 5-page report totaling \$30,312,125.23. This amount included the investment of \$30,000,000.00 done on 07/08/2024. Motion to approve these claims came from Gary Timmerman and was seconded by Anita Hess. Motion carried 3-0.

PAYROLL

Payroll dated August 8, 2024 was also reviewed. This was a 3-page report that totaled \$508,335.43. Payroll was approved with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0.

FINDINGS AND ORDERS

Findings and Orders as approved at the previous meeting were signed by the commissioners.

911 WORK PERIOD FOR 911 DISPATCH

County Attorney Dennis Graft has prepared an ordinance for the work period of 911 dispatchers. This is adopted with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0. – This is duly entered into the ordinance book.

RECESS

BACK IN SESSION 1:00PM

SHERIFF DEPARTMENT

Max Weber, Noble County Sheriff and Jail Commander Jennifer Cummins were present along with Asst Chief Probation officer Danyel Wagner, to discuss a new position paid for from the Opioid settlement money. There has been a committee formed for the Opioid Settlement money to be distributed in the form of grants. Max is wanting to apply for one of the grants from this money to pay wages and benefits for a Jail Release Coordinator. He explained that this position with work one on one with inmates before release to inform them of agencies that can help with their issues. They would also make sure that the inmate is fully aware of court appointments and meetings that keep them compliant with the court system and probation. Max feels that if this program works to its full potential, this will prevent repeat offenders and therefore be a benefit to the community. He feels that within 3 years and tracking these individuals that use this program, the county would know if this is working and benefiting the county. Max indicated that the salary and benefits would amount to around \$90,000.00, which is the amount of the grant he is applying for. Motion to allow Max to begin the grant process came from Gary Timmerman and was seconded by Anita Hess. Motion carried 3-0. Final approval will come at the time the JRAC committee presents the grant applications to the commissioners.

HEALTH INSURANCE

Cheryl Lee, our TPA from Gibson, came before the commissioner to discuss the upcoming renewal. Cheryl will be going out to bid for our health insurance and is reporting that to date this year we are looking very good. She is anticipating a good renewal. Cheryl cited a couple programs that have put us in this situation such as SHARx – the prescription program – that has saved the county over one million dollars at this point. As using Wellbridge Surgical have had significant impact on the savings.

Cheryl is now providing another possible cost savings measurer in the use of SIGNOS – which monitors blood sugar. Some of the employees have done a test of the product for 90 days and had good results. This would again – if able to redirect employees to this program rather than some of the current CGM they are on, be a considerable cost savings and hopefully prevent the need for VERY expensive medication.

After considerable discussion, the SIGNOS master agreement and statement of work was signed with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0.

HANDBOOK

The remainder of the day was spent on reviewing the new handbook, Shelley Mawhorter, Dennis Graft, Jackie Knafel, along with the commissioners went through page by page the new handbook to correct things as needed. This will be sent to New Focus for corrections and hopefully on to final approval.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 4:15PM recessed from day to day until August 26, 2024

Dated this 30TH day of August, 2024


Gary D. Leatherman, President



Anita Hess, Vice President



Gary Timmerman, Member

ATTESTED: 

Michelle Mawhorter, Auditor