

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD September 23, 2024**

Comes now the hour of 8:30 am. on the 23 day of September, 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.

OLD BUSINESS

- Anita Hess reported that one appraisal had been received for the land near the landfill, however, she was still waiting on the second appraisal.
- Gary Leatherman shared information about a letter that was signed in support for the Bowen Center in Noble County. The center is applying to the Health Resources and Services Administration for more funding opportunities.
- Also mentioned was the agreement of all commissioners via e-mail information to impose a "burn advisory" for the county due to the lack of rain in recent weeks.
- Memorandum regarding "conflict of interest" - All commissioners had been given a copy of the memorandum prepared by Everett Newman, Plan Commission Attorney at the previous meeting. Dennis Graft summarized the memorandum to the commissioners. George Bennett, Noble County Council President, was also in attendance and voiced his interpretation of the memorandum as well, stating that any conflict is "self-declaratory". Going on to say that if a member hasn't declared that there is a conflict – it is non-existent unless someone challenges it. Gary Timmerman told the group that the question was posed to the plan commission that there could be a conflict of one or two of their members and he was looking for a "yes" or "no" answer and apparently the answer is no. Bill Shultz was in attendance and asked George "if your name is on a lease with a solar company, is that not a conflict of interest?" George responded that the plan commission board is a recommending board only – final decision goes to the commissioners". He went to further state that once a member of the board has been appointed, you can not get rid of the member. The appointing board can NOT reappoint when his term is up but they cannot remove him during his appointed term. The group questioning the conflict of interest asked if they had proof of the signed lease, if that would be sufficient. The group was told to take this to the plan commission board. Teresa Tackett told the group that she felt that she had been accused of insubordination when she had clearly received e-mails stating that this was not a legal determination that she could make. Members of the group commended her on the job she was doing

NEW BUSINESS

- LED Lighting – Glenn Ryan, Maintenance Supervisor, was in attendance to present a quote for LED lighting at the Weber Road facility. Currently part of the probation is temporarily located there during courthouse renovation. What the future holds for that building is uncertain at this time. Do we sell, do we keep it for storage? Glenn explained that in some cases they have come across the very old wiring and in one case there was exposed wires. Whether we keep it or sell it the need is there. Anita Hess moved to proceed with the LED lighting replacement. The quote came from Dunn-Rite Electric in the amount of \$14,578.44. Gary Timmerman seconded and the motion carried 3-0

- A listing of early vote times and locations was provided to the commissioners for approval by the Noble County Clerk's office. Gary Timmerman moved to approve the report. Anita Hess seconded and the motion carried 3-0.
- Policy for Federal Money contracts. Per the State Board of Accounts all contracts that are paid with any federal grant money must have a statement regarding debarment or suspension on the contract. Jackie Knafel has prepared the policy which was reviewed by the SBOA and approved by the county attorney. The commissioners adopted the policy with a motion from Anita Hess and a second from Gary Timmerman. Motion carried 3-0.
- Another policy that was adopted was for the WeCare Clinic. The clinic is shared with Central Noble Schools. On occasion we have employees who come to work for the county that previously worked for the school. Currently we have a policy that will allow retired employees to continue usage of the clinic for a monthly fee if they have 20 years or more of service. This policy would include those employees that have that combined 20 years of service between the school and Noble County Government. Motion to approve came from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.
- Gary Leatherman has been approached by an insurance company indicating cost saving measures for health insurance. As a heads up to the rest of the board, Gary indicated that the broker is interested in sharing this program with the board so something will be set up in the future.
- Gary Leatherman also reported that he had met with the Mayor of Kendallville, the EDC director and owners of the companies on US 6 where Color Master, B & J Medical and other companies are located. There is a real need for city hook up for sewer and water at this location. A letter of support to the Read 2.0 program was needed from the Commissioners. Anita Hess moved to prepare the letter of support and get it signed today for delivery to the Indiana Economic Development corporation in Indianapolis. Gary Timmerman seconded and the motion carried 3-0. Jackie will prepare the document for signatures.

HIGHWAY

Richard Rogers, Highway Inspector, has the following construction update for the commissioners:

- Utility permit – duly entered for JL Contracting and Communications LLC
- This ADA Sidewalk project in LaOtto is nearing completion.
- HMA 2024 - Richard reported that 1100 N is finishing up with striping scheduled for this week and by the end of the month they will move to Northport Road.
- The cement work is shooting for November unless weather does not cooperate. In that case, this will be done in the spring of 2025.

Zack Smith, Highway Engineer, has the following engineer update:

- Zack- as a heads up to the commissioners- reported that he had correspondence from Cobblestone concerning a road being maintained by the county but never accepted into the county's mileage. Zack informed the group that this would be handled as every other request of this kind and needed to start with a petition.
- Zack has a quote from Paul's Painting to paint one of the county highway's out buildings. The quote for the siding, garage door and roof came in at \$6,550.00. Anita Hess moved to approve. Gary Timmerman seconded and the motion carried 3-0.
- Zack reported that he will now scan the LPA vouchers and e-mail them to the Auditor per the suggestion of the SBOA
- Zack mentioned the insurance company coming for a risk control assessment and had committed on how organized and clean the highway department was.
- Zack talked about the Title VI and ADA requirement through INDOT. Zack indicated that they are becoming stricter and that INDOT will provide more training in this area.
- 400 N – this project is wrapping up with the shoulder work and seeding complete.
- Bridge 136 - Zack provided pictures of the progression of this project. Pictures were provided of the beams being set for the bridge. Zack voiced his displeasure with CSX over some of the issues that have come up such as raising the daily price of flagging and other issues. Zack will be meeting with CSX to hopefully resolve some of these problems. He indicated that if this continues it will be increasingly problematic to do bridge projects over the rails.
- Bridge 44 – the deck of the bridge will be poured tomorrow so this project is moving along smoothly.

- Ball Road - Letting is set for December 2024
- Bridge 134 - work continues on this project through many challenges with landowners in the area. Zack reported that he – along with Gary Leatherman- had met with the landowners about their concerns of losing land, driveways etc.... Zack reported that there will be a slight pause in this project to make sure everything comes together before moving any further into the project. Correspondence between Zack and BFS was provided.
- OLD STATE RD 3 – an LPA voucher for preliminary Engineering was presented for approval. Gary Timmerman moved to approve the voucher with a gross amount of \$9,780.00 of which 80% is \$7,824.00. Anita Hess seconded. Motion carried 3-0.
- Bridge 54 – Zack has a repair quote for this bridge in the amount of \$14,294.00. The quote came from R L McCoy and was approved with a motion from Gary Timmerman. Anita Hess seconded. Motion carried 3-0.
- An appraisal has been received from Kyle Bolyard for the 2.33 acres on Albion Road. This came in at \$42,000.00 so Dennis Graft told the group that another second quote is needed because of the amount. Anita Hess will contact another appraiser.
- SAMS Registration - Zack has been doing this registration process for some time and is recommending that this duty be transferred to the Auditors office. Gary Timmerman moved to transfer this duty to the Auditor's office. Anita Hess seconded. Motion carried 3-0.

COURTHOUSE RENOVATION

- Zack gave a brief report on all of the sub-contractor's jobs at the courthouse, provided pictures and the meeting minutes #17 for commissioner's review.
- PCO 36 – the change in the amount of \$7,851.03 was for framing changes. Gary Timmerman moved to allow the change charged to contingency. Anita Hess seconded. Motion carried 3-0.
- PCO 66 – This is to repair flashing at the north gable parapet turrets. Gary Timmerman moved to approve the change in the amount of \$9,445.70 to contingency. Anita Hess seconded. The motion carried 3-0.
- PCO 73 – A change to the second-floor flooring casing in the amount of \$1,181.90 was approved with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0.
- PCO 27 – irrigation system – this was a design development for the backflow preventor. The amount came in at \$9915.52 and is charged to contingency. Gary Timmerman approved. Anita Hess seconded. Motion carried 3-0.
- PCO 86 - the contractors discovered issues with some of the piping in the attic. This change came in at \$13,501.82. Gary Timmerman moved to approve. Anita Hess seconded the motion. Motion carried 3-0.
- PCO 87 - \$382.37 will be credited back to contingency with a change in the plaster repair. Gary Timmerman moved to approve the credit. Anita Hess seconded. Motion carried 3-0.
- With very little contingency left, Zack feels that we should have addressed about all of the unforeseen issues. His only concern now is the elevator installation.
- Jury seating in all three of the courts was discussed. With the lead time being a few months, Zack is wanting to get this started. Circuit Court and Superior I came in at \$114,111.02 of which 75% is needed to be paid to start the order. This amount is \$85,583.00. Superior II came in \$27,876.79 of which \$20,908.00 will be required. Anita Hess moved to approve the amounts be paid to start the process for this furniture. This will be paid from CEDIT funds. Gary Timmerman seconded. Motion carried 3-0.
- In the New Annex building, the sun is sometimes an issue for security. Zack has an estimate as to what motorized shades will cost. The quote was for \$3,775.00 of which 2 shades will be needed. Zack was unsure if this included the labor for installation. The commissioners would like a full quote before proceeding with this approval.

UNSAFE HOUSING

Mike Klopfenstein, Building Inspector, was present to inform the commissioners that the Omar building located at the corner of SR 9 and US 6 is now down. Mike reported that the basement is still there and that the company that did the demolition is aware of the requirement to address this issue as well. The commissioners set October 28, 2024 at 10:00 AM for review and closure of this case.

MENTAL HEALTH/SHERIFF'S DEPARTMENT

Max Weber, Noble County Sheriff, Brian Walker, Chief Deputy and Chad Minier from the AWRS Mobile Crisis Unit of Benchmark were all present to discuss a grant with Noble County being the pass – through for funding. Max and Brian – both – highly commended Chad and the AWRC unit for all of the help in the past and would like to “ramp up” these services in Noble County. Chad had a presentation with the number of calls in comparison to surrounding counties served by the group. Chad explained that in many cases, this group has been able to keep people out of the hospital and getting the people to the best resources for them. Chad indicated that this group has a great relationship with the Northeastern Center as well as the Bowen Center. Chad indicated that the grant would more than likely be in the amount of \$50,000.00. Anita Hess moved to move forward with grant application for Noble County and allow the county to be the pass-through for such grant. Gary Timmerman seconded. Motion carried 3-0.

REZONING AQUA HOLDING

The rezoning had been set for today at 9:30 AM -but with e-mail correspondence between the Plan Commission and the Company, the rezoning was withdrawing the applications for the rezoning and development plan. The company elected to NOT issue any statement regarding that decision.

CORRESPONDENCE

- Letter from the Skinner Lake Homeowners association concerning water coming from a residence on 150 E was duly entered as received.
- IDEM – Final decision for Air Permit for Quick Tanks
- IDEM – Final decision for air permit for Tower Structural Laminating
- Indiana House of Representative – notice of service available to local governments concerning security.
- A letter received from a resident at Bear Lake concerning leash laws. – duly entered

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.

JURY CLAIMS

With a new requirement of the SBOA, jury claims for January – September were reviewed and approved with a motion from Anita Hess. Gary Timmerman seconded. Motion carried 3-0.

REGULAR CLAIMS

A 12-page report of claims dated September 23, 2024 were reviewed by the commissioners. Gary Timmerman moved to approve \$452,663.12 be paid. Anita Hess seconded and the motion carried 3-0,

MISC CLAIMS

Misc claims totaled \$438,775.50 on the 3-page report submitted for approval. Gary Timmerman moved to approve the claims. Anita Hess seconded. Motion carries 3-0

PAYROLL

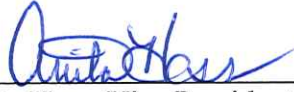
Payroll dated 09/19/2024 was reviewed for approval. The gross amount of \$515,779.42 on the 3-page report was approved with a motion from Gary Timmerman with a second coming from Anita Hess, the motion carried 3-0.

ADJOURNMENT

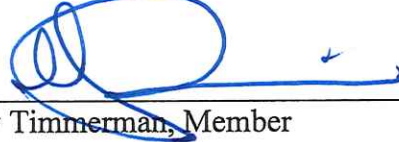
This session of the Board of Commissioners of Noble County was at approximately 11:10 am recessed from day to day until October 15, 2024

Dated this 15th day of Oct, 2024


Gary D. Leatherman, President



Anita Hess, Vice President



Gary Timmerman, Member

ATTESTED:



Michelle Mawhorter, Auditor