

**MINUTES OF A REGULAR SESSION OF THE  
BOARD OF COMMISSIONERS HELD February 23, 2015**

Comes now the hour of 8:30 A.M. on the 23rd day of February, 2015, in the Commissioners Court in the Noble County Courthouse, 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  
David J. (Dave) Dolezal, Vice President  
Chad Kline, Member

Also present were:

Jacqueline L. Knafel, County Coordinator  
Tonya L. Marks, Noble County Auditor  
Dennis Graft, County Attorney  
and Vic Ley  
Bob Braley, KPC Media  
Scott Ziegler  
Stacy Beam, Probation  
Gregg Parker, Council on Aging  
Kevin Beach  
Joe Koorsen  
Joyce A Adair  
Steven D Adair  
Karen S Clugston  
Norm Lortie, Building Inspector  
Zack Smith, Highway Engineer

**Correspondence**

- IDEM – Leachate Holding Tank – duly entered
  1. Engineering Resources response
- County Treasurer – monthly report – duly entered
- County Clerk – monthly report – duly entered
- IDEM – Carlex – duly entered
- IDEM – Cranberry Development LLC – duly entered
- Town of Albion December and January – leachate drop
- Weights and Measures - duly entered
- Insurance Renewal – 1.5% increase

**CLAIMS**

Nicole Noe, Deputy Auditor and Tonya Marks, Auditor, are present to review 11 pages of claims totaling 1,056,130.39. After review a motion to approve came from Dave Dolezal and was seconded by Chad Kline. Motion carried 3-0.

Utility claims consisting of 2 pages totaling \$ \$645,502.63 was approved by the same motion.

**PAYROLL**

Payroll dated 02/19/15 totaling \$349,934.64 and consisting of 5 pages was approved with a motion from Dave Dolezal and a second from Chad Kline. Motion carried 3-0.

**PROBATION CONTRACT**

The 2015 contract between Noble County and the City of Kendallville for use of the firing range for training purposes by the Probation department was presented for approval by Stacey Beam. Chad Kline made a motion to approve the contract for 01/01/2015 through 12/31/2015. Dave Dolezal seconded the motion. Motion carried 3-0.

**WEATHER EMERGENCY PROCLAMATIONS**

The February 14, 2015 winter weather advisory issued at 8:00 AM, the cancelation of that advisory effective 12:00PM on February 15<sup>th</sup> and the winter weather advisory issue at 3:00pm on

2/18/15 were brought before the commissioners for signatures. Chad Kline moved to sign the proclamations. Dave Dolezal seconded the motion. Motion carried 3-0.

#### MINUTES

Minutes of the previous meeting were read and discussed. The minutes were tabled until Jackie can listen to tape. The commissioners said there was no motion from commissioners concerning the waiver of the 10% for a probation department new employee. Rather the commissioners advised Stacey to come back at the end of one month and after further review of the employees work performance. Jackie will review and make the necessary changes for review of the minutes at the next meeting.

#### JUNK ORDINANCE

Amendment of the Junk Ordinance amending the 2 mile radius of cities and towns was removed as well as the 3 mile acreage minimum. Vic Ley, Kevin Beach and Karen Clugston all were present in favor of the amendments to the ordinance with the only concern being the fact that the current forms require names and addresses of the person filing the complaint. Dennis Graft, County Attorney, said that the complaints can be registered at the Sheriff's department and that no names are given unless a court case develops. Karen Clugston thanked the commissioners for revisiting the ordinance and making the amendments presented. In opposition of the ordinance, Joyce Adair, Steven Adair and Joe Koorsen were concerned that because of some of the things that are listed on the ordinance that neighbors will use something like this to retaliate against a neighbor they may not like. Mr. Koorsen used the example of a construction company business being at the individual's home and there being lumber stored at the property, or a drainage contractor having pipes stored at his residence (place of business). The commissioners assured all that common sense in enforcement of this ordinance would continue to be of utmost importance when making these decisions of compliance. Chad Kline then made a motion to approve the changes to the Junk Ordinance and also stated if there becomes an issue, this ordinance will be revisited. Dave Dolezal seconded the motion. Motion carried 3-0.

#### PUBLIC HEARING

Plan Commission Fee Ordinance public hearing was held with no opposition from the public the ordinance was adopted with a motion from Dave Dolezal and a second from Chad Kline. Motion carried 3-0.

#### PUBLIC HEARING

Flood ordinance amended ordinance public hearing was held with no opposition from the public. Ordinance was adopted with a motion from Chad Kline and a second from Dave Dolezal. Motion carried 3-0.

#### COUNCIL ON AGING

Gregg Parker with the Council on Aging is present for signatures from the commissioner on a van purchase voucher. Dave Dolezal made a motion to approve the voucher for new van costing \$43,220.00 for transit of Noble County citizens. Chad Kline seconded the motion. Motion carried 3-0.

#### ROAD RIGHT OF WAYS

The following were road right of way approvals that came before the Noble County Commissioners:

- Farmview - Motion from Dave Dolezal and seconded by Chad Kline. Motion carried 3-0.
- Belle Oakes (now PK estates) Motion came from Dave Dolezal and was seconded by Chad Kline. Motion carried 3-0.
- Little Bit Acres – Motion to approve came from Dave Dolezal and was seconded by Chad Kline. Motion carried 3-0.
- Correll – Motion is made by Dave Dolezal to approve with a second coming from Chad Kline. Motion carried 3-0.
- Garrett – Dave Dolezal moved to approve the right of way addition. Chad Kline seconded the motion. Motion carried 3-0.

#### SHERIFF

Doug Harp, Noble County Sheriff, is present to discuss the video system in the jail which is having many issues. The camera is not working properly and they can no longer identify

individuals from the camera. Doug indicated that for the last few years they have been piecing the equipment to make it work and it is at the point of replacement. This is a very expensive project with Doug estimating the cost to be \$250,000.00. Doug had contacted a local bank for the possibility of a 3-5 year loan to accomplish the replacement. For a project of this cost bids must be taken. Doug is to do more research get some specs together for advertising. Jackie will look at the sources of payment.

#### STAR TEAM

Steve Hood is present to request use of the courthouse square for the Albionopoly on July 31, 2015 as well as many activities being held on October 30, 2015. Dave Dolezal made a motion to allow use of the square for those dates. Chad Kline seconded the motion. Motion carried 3-0.

#### HIGHWAY

Zack Smith, Highway Engineer, is present to discuss the following issues:

- Construction- Utility Permit for fiber optic installation.
- Zack also informed the commissioners that one of drivers - last week – had hit the side of the garage building and did considerable damage. The insurance company had been notified and a drug test was administered to the driver.
- Zack indicated that underbody blades are getting low. Mark has been shopping around for prizes and also looking for possibly better made blades that will last a bit longer than we are currently experiencing.

#### Engineering business

- Bridge inspection as well as Bridge #147 – notice to proceed have been issued.
- Call for Projects - Zack indicated that this has now been pushed out to May.
- Zack has bumped CSX again – in order to be ready for the Call for Projects.
- Zack has completed the first draft for the safety manual.
- Marc Fisher has been in contact with the Town of Albion concerning shared fuel. The highway is waiting for an estimate of usage and needs from the town.
- Zack has attended a seminar on fuel marketing. He is hoping to be able to more efficiently contact fuel.
- Zack discussed the future of the highway department and doing projects in house such as smaller bridges and culvert replacements. This process would be much more cost effective.
- Zack also indicated that he may have to take bids on the loader as the price is exceeding the quote maximum. The other two vehicles could be quoted.

#### EMA

Mick Newton is present to request adoption of the Multi Hazard Mitigation Plan. Mick is asking all units of government to adopt this resolution in order to be able to recover funds in an emergency situation. Chad Kline moved to adopt the Resolution and Dave Dolezal seconded the motion. Motion carried 3-0.

#### CLERK

Noble County Clerk, Shelley Mawhorter, is present to discuss issues in two townships and the lack of officials as well as board members. There is a role that the executive board – commissioners – play if this cannot be resolved at the township level. Shelley will keep the commissioners up to date on the issue.

#### CEDIT PLAN

Jackie Knafel, County Coordinator, presented the commissioners with the amendments to the 2014- 2015 CEDIT plan as requested. Project 15 will be added for the second year of the plan to aid in the purchase of highway equipment. Project 16 will be added for the second year of the plan to continue the building space review to determine a need for a building project.

#### MAY MEETINGS

Chad Kline brought up the fact that the commissioners will only be meeting one time in May because of the Memorial Day holiday unless a special meeting would be set. It was the decision of the board to meet on May 26<sup>th</sup>, 2015 (Tuesday) to allow for the second meeting that month.

**ADJOURNMENT**

This session of the Board of Commissioners of Noble County was at approximately 11:10 A.M. recessed from day to day until the 9th day of March, 2015.

\_\_\_\_\_  
Gary D. Leatherman, President

\_\_\_\_\_  
David J. Dolezal, Vice President

\_\_\_\_\_  
Chad Kline, Member

ATTESTED: \_\_\_\_\_  
Tonya L. Marks, Auditor