

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD MAY 11, 2015**

Comes now the hour of 8:50 A.M. on the 11th day of May, 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 Barry Rochford KPC Media
Kim Miller, Assessor
Gregg Parker, Council on Aging
Doug Harp, Noble County Sheriff
Zack Smith, Highway Engineer
Margaret Diehm, Citizen
Josh Neal, Attorney from Barrett McNabney
Norm Lortie, Building Inspector
Renee Ott, Home Owner
Doug Harp, Noble County Sheriff
Bill Etzler, Engineering Resources
Judge G. David Laur – Circuit Court

President Gary Leatherman opened the commissioners meeting at 8:50AM.

COUNCIL ON AGING

Gregg Parker, Council on Aging, presented a budget draft and a grant applications for review and signatures. This is for the 5311 Operating grant and 5339 Capital Application grant. Dave Dolezal made a motion to sign the grant applications. Chad Kline seconded the motion. Motion carried 3-0.

RESOLUTION

Dave Dolezal read a Resolution which prohibits excessive force by law enforcement agencies and made a motion to sign the resolution. Chad Kline seconded the motion. Motion carried 3-0.

HIGHWAY

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

- Utility Permits for Noble REMC were presented for review
- Cromwell Town is requesting a detour using 900 W and 200 N for Cromwell days which has been allowed in the past. Dave Dolezal made a motion to approve and a second came from Chad Kline. Motion carried 3-0.
- Trailer recommendations: Zack and Mark have reviewed the quotes and are recommending Southeastern Equipment co totaling \$15,341.00. This has a weight capacity of 30000 lbs. and will be best to carry the mini excavator and any extra attachments needed. Dave Dolezal made a motion to approve the purchase of the trailer from Southeastern at the cost of \$15,341.00 which will be paid from the CEDIT equipment purchase balance and the remaining \$2,000.00 would come from highway funds. Chad Kline seconded the motion. Motion carried 3-0.
- Margaret Diehm and her attorney from Barrett McNabney were present to discuss road right of way in Chain O Lakes estates. This issue has gone before the BZA as a petition to not follow sight clearance issue. The Diehms own 2 lots and then another lot or lots is owned by Crum. Nathan Miller, Plan commission director, is also present. Zack briefed the commissioners that the road in question is not a county maintained road.

This hearing is concerning a violation of building codes concerning fencing. Diehm purchased the ground in 2001 lots 38 and 39 which was bare ground and the Diehms got a driver way permit for access from CR 50 W. Diehms put up a fence up without a building permit and received a zoning violation from the planning department. The attorney is saying that this road is a driveway and the planning commission is treating the issue as a road. Nathan said that this went to the courts and the court determined that the plat has this named South Dr and shows it as a right of way and is dedicated to the public. Chad Kline referred back to the BZA as the commissioners cannot override their decision.

- LPA Voucher. A voucher from DLZ was presented for signature.
- Equipment Bids - the Mini Excavator will be delivered within the next week or so. The loader will probably be about 6 weeks out.
- The Tiger Grant – to apply for this we must have a project ready to go. Environmental work is done and it is closer to being ready than any other project. Final application is due shortly.
- Sign Study – no update
- Garage Door should be completed within the next week or two.
- Road Plan – the 2015 Road Rehabilitation and Maintenance plan was presented to the commissioners. This plan was based on road condition, priority, population density and critical transportation plan. Zack reviewed the rating process based on the above divisions. Zack informed the commissioners that this plan would be placed on line for the public viewing. Zack is trying to stretch the 1.5 million dollar budget to do the best job on the road at the most cost effective way. Plan can be adjusted from year to year and this plan focuses on chip and seal. Gary asked Zack if residents in sub divisions wanted to improve their roads beyond what the county is proposing this can be divided between homeowners.

CODIFICATION

Noble County's new ordinance codification is complete and an adoption of the codification ordinance is open for public hearing. President Gary Leatherman read the ordinance and a motion from Chad Kline was made to approve the new ordinance code for Noble County. This was seconded by Dave Dolezal. Motion carried 3-0.

OTT PROPERTY

Norm Lortie, Building Inspector, and Renee Ott, owner of property are present to discuss the progress on a home owned by Ott located on SR 9 south of Albion. The Ott's have quotes on windows and doors and still has some meth cleaning issues to resolve. Renee has contacted the health department to see if she would be able to do the required cleaning rather than hire a contractor to do it. She is currently awaiting that approval. Chad Kline indicated that the commissioners are only requiring that a plan be in place and made a motion for an update of progression be set for July 13, 2015 at 10:00AM. Dave Dolezal seconded the motion. Motion carried 3-0.

LEPC

Judy Fox and Mick Newton are present to get approval from the Noble County Commissioners to proceed with a grant application for the hazard material emergency preparedness grant. Mick reported that the exercise that was held at Central Noble High School for rail emergencies was a great success. Motion to approve proceeding with the grant came from Chad Kline and was seconded by Dave Dolezal. Motion carried 3-0.

TITLES

Titles for 3 sheriff's vehicles were presented for signatures. Parkview Noble will be purchasing the vehicles. Chad Kline made a motion to sign the titles for a 2009 and two 2010 Ford Crown Vics. Dave Dolezal seconded the motion. Motion carried 3-0.

LANDFILL

Bill Etzler, Engineering Resources, is present to update the commissioners on landfill issues. There will be a landfill inspection and monitoring done next Tuesday. Bill did report a problem on #27 but is looking into this issue and will report back.

RECESS
RECONVENE

PAYROLL

Payroll dated 05/14/15 containing 5 pages and totaling \$339,787.29 was reviewed. Dave Dolezal made a motion to approve the payroll as presented. Chad Kline seconded the motion. Motion carried 3-0.

HISTORICAL DOCUMENTS

Judge Dave Laur came before the commissioners to inform them that he had been contacted by the Historical Society who had found documentation of the purchase of the ground on which the courthouse stands. It has been framed and he is wanting permission to hang the document in the courthouse. The commissioners agreed.

CLAIMS

Claims dated 05/11/15 containing 13 pages and totaling \$263,003.45 were reviewed by the commissioners. Chad Kline made a motion to approve the claims with the exception of claims from Bill Anders of \$21.79 and \$53.47. Mr. Anders is a merit board member and the commissioners are not aware the claims should be submitted by non-employees. Dave Dolezal seconded the motion. Motion carried 3-0.

Utility claims were also approved with a motion from Dave Dolezal and a second from Chad Kline. Motion carried 3-0.

MINUTES

Minutes of the previous meeting were read and approved as written with a motion from Dave Dolezal and a second from Chad Kline. Motion carried 3-0.

CORRESPONDENCE

Medicom – duly entered
Courthouse security monthly report – duly entered
IDEM – Whiteshire Hamrock confined feeding operation – duly entered
Town of Albion – leachate 14 loads @ \$30.00 a load
Region City Steering Committee report – duly entered

UNSAFE BUILDING ORDERS

Court orders prepared by Attorney Dennis Graft were presented for signatures for the Gries and Coffey properties. The orders had been approved at an earlier commissioners meeting and are just being presented for signatures. Original will be sent to the Building Department, a copy will be retained in the commissioner's files, and a copy will be given to the attorney.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11:25 A.M. recessed from day to day until the 26th day of May, 2015.

Gary D. Leatherman, President

David J. Dolezal, Vice President

Chad Kline, Member

ATTESTED: _____
Tonya L. Marks, Auditor