

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD Tuesday May 26, 2015**

Comes now the hour of 8:35 A.M. on the 26th 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 Steve Garbacz, KPC Media
Nathan Miller, Plan Commission
Diane Miller, Attorney at law
Sheri Auld, Deputy Auditor
Mick Newton, EMA Director
Bill Etzler, Engineering Resources
Randy Sexton, Surveyor
Doug Harp, Noble County Sheriff
Noble REMC representative
Zack Smith, Highway Engineer
Mark Goodrich, Highway Superintendent
Dave Wolf, Sexton Surveying
Norm Lortie, Building Commission

President Gary Leatherman brought the meeting to order at approximately 8:35AM.

SURVEYOR

Randy Sexton, Noble County Surveyor, is present to discuss the need of a van for the Chain O Lakes work crew. The van from council on aging is back in service today however the DOC van is no longer in working condition. Randy is working with dealerships for quotes for vans. He is looking for a 1 ton 12 passenger van with a heavy duty transmission. Randy will get on the council's agenda for next week. Randy feels that it must be a 1 ton in order to tow the trailer that must be taken to the job sites.

LANDFILL

Bill Etzler, Engineering Resources, reported to the commissioners that groundwater sampling was done 2 weeks ago, however we do not have the results as of yet. In other landfill business:

- Recommended that the commissioners consider Wilcox Environmental to do the statistical analysis. Bill feels that there is information missing in the past analysis. Bill has an approximate estimate from Wilcox for this service. He gave an amount of \$9,820.00 for the initial report. Weaver Boos agreement has not been renewed.
- Methane monitoring information reports that GP1 is still exceeding the levels however the 2 new probes on the east side of 125 are 0. This would indicate that we may be able to go to semi-annual monitoring which will begin to save money. Some sites are missing caps - one has mud in it and another has bentonite in it. These issues need to be addressed and also all monitoring sites need labeled.
- Leachate disposal - Mike is staying on top of this and because of the constant disposal there are no visible spots of leachate even with as much rain as we have had.
- Bill will get the proposal from Wilcox to Jackie for distribution to the commissioners.

HIGHWAY

Mark Goodrich, Highway Superintendent, is presenting the following information:

- Mark presents Utility permits for Century Link, Noble REMC and the Ligonier Telephone Company.

- Mark had requests from Ligtel for buried fiber optic cables. Chad Kline made a motion to approve the fiber optic permits from Ligtel. Dave Dolezal seconded the motion. Motion carried 3-0.
- Reconstruction on 300 S is underway. The department has ran into a few issues which slowed the progress about a day.
- Cromwell Road is beginning today and the department is working with the surveyor's office on this drainage issue.
- Berming is beginning so that chip and seal can begin.
- Patching is continuing.
- The new mini excavator was delivered last Friday.
- Mark also had a road closure for Wolf Lake Onion Days. This has been done for many many years. Chad Kline made a motion to allow closure of Noble Street. Dave Dolezal seconded the motion. Motion carried 3-0.
- The highway has been sent – now a 3rd request – from Centurylink -a request to pay for a damaged post. Dennis will send a letter to the company.

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

- Bridge #147 – updated this morning and was asked if we would push back the project a year or two then IDOT will pay 100% of the project. This would be a considerable savings and Zack feels this would be \$400,000.00 savings that we can use in other areas.
- Bridge Inspection – Zack had LPA vouchers for signature. Chad Kline made a motion to sign the voucher. Dave Dolezal seconded the motion. Motion carried 3-0.
- Preliminary findings were discussed concerning bridges in Noble County.
- Call for projects has been extended again.
- CSX – no update
- TIGER Grant – Zack submitted the application, but is not too optimistic that it will be received. In most of the cases, the design project is complete and Zack is not sure that this is a good fit for projects in the area.
- Sign Study is under development as well as the Safety Manual
- Garage door repair is almost complete.
- 2015 Bridge plan is also under development
- Zack discussed the Town of Albion project with the commissioners. Zack cannot find any verbal agreement from the commissioners in his search of records. Zack feels that the best way to hash this out is for Zack to sit down with their engineer to discuss further.
- Utility right of way issue came up last week. Zack came up with a resolution in 1954 which gave utilities the right to construct poles in the right of way of county highways. Zack will contact the property owner and let him know of the findings.
- Driveway Variance. Mr. Sanders is coming before the commissioners to request of a variance for a driveway permit. Mr. Sanders does not have the required 525 feet from the top of the hill which would be 133 feet short of the required footage. After some discussion, Mr. Sanders agreed to move the driveway to the south about 100 feet and with that agreement there would be no variance required. Zack told Mr. Sanders that once the new survey was received the highway department would sign the permit.

DEDICATION OF ROAD RIGHT OF WAY

Dave Wolf from Sexton Surveying is present to request an additional 10 feet of road right of way for a Miller – Troyer plat on 900 W. Dave Dolezal made a motion to approve the right of way. Chad Kline seconded the motion. Motion carried 3-0.

A second road right of way is requested by Miller Hostetler on 825 N and 700 W. Dave Dolezal made a motion to approve the dedication. Chad Kline seconded the motion. Motion carried 3-0.

UNSAFE BUILDING

Jackie had received a call from Renee Ott concerning the date earlier set by the board of commissioners for a property she owns on St. Rd 9. The date of the next hearing had been set for July 13, 2015 and Renee will not be available at that time. She is requesting a change of date. Chad Kline made a motion to change that date to July 27, 2015. Dave Dolezal seconded the motion. Motion carried 3-0. Norm Lortie will contact Renee with the new date.

VACATION OF PUBLIC PROPERTY

Diane Miller came before the commissioners to request a vacation of property. Dennis Graft, County Attorney, asked Attorney Diane Miller if notice had been served. There was no service

as well as no advertisement. It was recommended that Diane do the proper notices and then return to the commissioners for further action.

TAX SALE PROPERTIES

Sheri Auld, Deputy Auditor, is present to discuss 4 tax sale properties. These properties had previously discussed with the commissioners and had not been pursued because of being bare ground. Chad asked if Dennis would verify with Judge Laur that sewer liens would be allowed to be removed if any interested parties that are willing to assume ownership. This property is currently owned by Georgianna Bowers.

The Lemon property has a neighbor who is interested if the commissioners are willing to take title to the property. August 9 is the deadline for action from the commissioners.

The Smith property is another property being discussed. Sheri had talked with Mr. Smith and he was originally supposed to come in to pay the taxes but never did so. Sheri is wanting permission to contact adjacent property owners. This property is on High Lake.

The last property is owned by Meyer and also indicated he was either going to sell the property or he would pay. He has not done either. Sheri has been contacted by an adjacent property owner to the east and is very much interested.

Sheri was directed by the commissioners to proceed with the process of contacting adjacent owners to gauge their interest in these 4 properties and then report back to the commissioners.

GRANT APPROVAL

Mick Newton, EMA Director, is present to request 2 grant applications be signed. The first one is \$975.00 and the second one is for \$7,000.00 grant for replacement of radios. The funding would have had to come from the general fund. These are both reimbursable grants. Motion to sign the grants was made by Chad Kline and was seconded by Dave Dolezal. Motion carried 3-0.

LEASE AGREEMENT

A new lease agreement had been received from Donald Merriman for lease of the public defender's office. Gary Leatherman had spoken with Jim Abbs, Chief Public Defender, and he is okay not to proceed with the requested painting and carpeting to avoid an increase in rent. Gary said he had stopped by to see Mr. Merriman on 3 different occasions and had not been able to speak with him as of yet. Gary would like to have the opportunity to speak with him prior to the signing of any lease agreement.

PAYROLL

Payroll dated 5/28/15 was reviewed. There were 5 pages totaling \$338,402.26 was approved with a motion from Dave Dolezal and a second from Chad Kline. Motion carried 3-0.

CLAIMS

Nicole Noe, Deputy Auditor, is present to review the claims dated 05/26/15. Claims totaling \$338,336.66 and containing 11 pages were reviewed by the commissioners. Motion to pay the claims dated 5/26/15 came from Dave Dolezal and was seconded by Chad Kline. Motion carried 3-0.

CORRESPONDENCE

- IDEM – Miller confined feeding
- Noble REMC – Annual meeting. Chad Kline made a motion to appoint Gary Leatherman to be the representative for the county. Dave Dolezal seconded the motion. Motion carried 3-0.
- Weights & Measures monthly report by Rick Wysong.
- County Treasurer's monthly report
- County Clerk's monthly report CSI and Gavel
- Indiana Lincoln highway/byway – duly entered
- Wood Land Lakes budget report – 2016 request of funding
- Information from Barnes & Thornburg concerning the repeal of the Common Construction Wage Act. – duly entered.
- Copy of a memo that was recently sent to all county employees concerning the taking of the county vehicle home the night before the conference use. If you are taking the car the night before there is to be NO usage of the vehicle for personal issues. This is in the handbook concerning no personal use and it is always best policy to pick up the morning of use however it will be allowed.

MINUTES

Minutes of the May 11, 2015 meeting were read and approved as written with a motion from Dave Dolezal and a second from Chad Kline. Motion carried 3-0.

TREE REMOVAL

An estimate for the removal of the two walnut trees was received. This is for \$900.00. Chad Kline made a motion to accept this proposal. Dave Dolezal seconded the motion. Motion carried 3-0.

Chad Kline made a motion to recess until 1:00PM. Dave Dolezal seconded the motion. Motion carried 3-0.

APEX INSURANCE

Three representatives from APEX insurance were present to present their program to the commissioners. This is the only insurance brokers that is endorsed by the Association of Indiana Counties. They currently have 13 counties that they represent as well as many private sector companies. Mary Applegate, payroll deputy, is joining the group to hear what the company is presenting. Eric Dreyfus presented the program and focused on the repricing benefit that this company can provide. The broker has no in network limitation for hospitals. They go after the huge markup that hospitals charge which can be as high as 400% +. Currently brokers will negotiate pricing with hospitals, this company pays 20% over Medicare or 12% over cost of procedure. The hospital is still making money just not the huge markup that is originally billed. Apex gave examples of charges from hospitals and the auditing and repricing that is performed. The commissioners agreed to allow Apex to gather our claim information from Pro Claim to allow APEX to show the County's possible savings. The commissioners will take this information under advisement.

SHERIFF

Doug Harp, Noble County Sheriff, and Dave Baum, IT Director, were present to discuss the upgrade with Stanley who has the security system at the jail. We did the upgrade last year and Doug is here to discuss the maintenance agreement with Stanley. This system locks and unlocks the doors in the confinement area as well as videos etc. This annual maintenance agreement is at a cost of \$5400.00. Dave Baum recommended that we keep Stanley involved to maintain the software and in a case of a breakdown it would be important to have them a phone call away. Chad Kline made a motion to approve the Stanley agreement. Dave Dolezal seconded the motion. Motion carried 3-0.

CAR TITLE

Doug also presented a title for signature on a vehicle sold to Parkview Noble Hospital. Dave Dolezal made a motion to sign off on the title. Chad Kline seconded the motion. Motion carried 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 2:40 P.M. recessed from day to day until the 8th day of June, 2015.

Gary D. Leatherman, President

David J. Dolezal, Vice President

Chad Kline, Member

ATTESTED: _____
Tonya L Marks, Noble County Auditor