

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD September 28th, 2015**

Comes now the hour of 8:30 A.M. on the 28th day of September, 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
Dennis Graft, County Attorney
Steve Garbacz, KPC Media
Danyel Wagner, Probation
Bill Etzler, Engineering Resources
Eric Blackman, Prosecutor
Suzie Pippenger, Victim Advocate
Teri Skinner, Victim Assistant Advocate
Erica – YMCA
Chad Willett, Chief Deputy Sheriff
Mick Newton, EMA Director
Mark Goodrich, Highway Superintendent
Zack Smith, Highway Engineer
Kim Miller, Noble County Assessor
Nathan Miller, Plan Commission Director
Norm Lortie, Building Inspector
Mitch Fiandt, 911 Director

PROBATION

Danyel Wagner, Chief Deputy Probation Officer, is present to discuss a new grant that she is applying for. This grant requires commissioner's signatures on the application. The grant provides for more employees and therefore discussion came up about council approval. Chad Kline made a motion to sign the document with the understanding that the probation office go before the council for their approval in adding more employees. Dave Dolezal seconded the motion. Motion carried 3-0.

LANDFILL

Bill Etzler, Engineer Resources, came before the commissioners with the following landfill information:

- Mowing at the landfill was completed in August
- Cover material was delivered to the site to cover areas that require surface remediation
- The Surveyor's office completed the site survey in August but they are awaiting the electronic file with layers and labeling.
- The file records for Noble County that was requested from IDEM has now been received
- Semi-annual groundwater and gas monitoring is scheduled for October 14 and 15, 2015
- A letter was sent to IDEM regarding gas monitoring at a residence north of the landfill – no response to date.

Bill also informed the commissioners of the following work that needs to be completed:

- Install new locks on the wells and gas monitors
- Drill weep holes in gas monitor protective columns
- Replace gas sampling ports in 7 probes
- Place soil around bases of sampling wells
- Clean out and/or add bentonite at 6 methane sampling probes
- Paint and re-number all groundwater wells and sampling points
- Add soil and re-seed areas where needed

PROSECUTOR

Eric Blackman, Prosecutor, Suzie Pippenger, Victim Advocate, Teri Skinner, Victim Assistant, and Erica from the YMCA are all present to discuss the proclamation of Domestic Violence Awareness Month for October. Statistics were shared with the commissioners and also discussion of “chalking up” the sidewalk around the courthouse with different sayings and comments. Dave Dolezal made a motion to approve the proclamation as well as gave permission to do the “chalk up” on the sidewalk. Chad Kline seconded the motion. Motion carried 3-0.

SHERIFF

Chad Willett, Chief Deputy Sheriff, is present to discuss damage to the approach to the basement area of the jail. Chad does not have an exact quote as of today but the damage costs are thought to be in the area of around \$14,000.00. This will require an additional that needs to go before the council and will not be completed until November. The commissioners were in agreement that the work needs to be done.

EMA

Mick Newton, EMA Director, was present to inform the commissioners that the state was now requiring that both “authorized agents” for the grant approval need to be elected. The commissioners had previously appointed the auditor and the county coordinator as the agents. Chad Kline made a motion to now appoint Tonya Marks, elected Auditor and Michele Bricker, elected Treasurer as the agents. Dave Dolezal seconded the motion. Motion carried 3-0.

HIGHWAY

Mark Goodrich, Highway Superintendent, came before the commissioners with the following information:

- The new truck should be in service by the middle of October
- The broom had some issues and should be back in use by the end of this week
- There have been hydraulic control system issues with the 2005 truck and the mother boards are now obsolete. WA Jones is working on an information packet on suggested updates for this issue.
- Internal construction is mostly finished for the season. There is still some berm and drainage work to complete. Drivers are patching and operators are working on drainage with one brush running most of the time.

Zack Smith, Highway Engineering, brought the following engineering business before the county commissioners:

- Bridge 147 – Stage 1 submission is complete
- Bridge Inspection – Zack presented a LPA voucher for signature. Chad Kline made a motion to approve the voucher for signature. Dave Dolezal seconded the motion. Motion carried 3-0.
- CSX Agreement - Zack and Dennis Graft, County Attorney, have reviewed the memorandum of understanding and have made necessary changes which will be returned to CSX for their review.
- AIC Lobbyist visited Noble County last week to discuss proposed funding.
- Highway Garage – RFP is under development and will be sent out once funding is defined.
- Local Bridge Plans – RFP for bridge 82 is due October 7, 2015
- Speed Study – the 5th study of the 6 was pulled recently and analysis will begin.
- Line Striping is complete
- Zack presented a copy of the transfer letter he will be submitting to the Noble County Council. Dave Dolezal made a motion to approve the transfer letter with a second coming from Chad Kline. Motion carried 3-0.
- The highway department had received a discovery letter concerning an accident on 600 S. Zack is compiling information that the department had concerning this letter.
- ADA Compliance – Zack continues to work on this project.

ASSESSOR

Kim Miller, Noble County Assessor, is coming before the commissioners again concerning personal property audits. The commissioners are not sure that the benefits will outweigh the cost and have asked Kim to do more research in this area.

ROAD RIGHT OF WAY

Nathan Miller, Plan Commission Director, is in attendance to provide information about a couple of road right of way dedications. First on the agenda was an increase was for a Mr. Acres for Rhondaland increasing the right of way from 30 to 40 feet. Motion to approve came from Dave Dolezal and a second came from Chad Kline. Motion carried 3-0. A Cochard property was next on the agenda with Scott Ziegler representing the owner. This is a 10 foot increase in right of way and was approved with a motion from Dave Dolezal. Chad Kline seconded the motion. Motion carried 3-0.

REZONING

Nathan is also present for a rezoning for Allen and Diane Perlich. This is a request to rezone a ½ acre piece from A-1 to A-3. The property is located on 600 N and was approved at a recent Plan Commission meeting. Dave Dolezal moved to approve the rezoning with a second coming from Chad Kline. Motion carried 3-0.

UNSAFE HOUSING

The following unsafe housing issues were brought before the Noble County Commissioners by Norm Lortie, Building Inspector:

- Sanchez (Barrios) – Norm reported that he did finally have contact with the owner who came in to get a modified permit. Norm reported that the permit is good for one year and in a recent visit to the property found some progress being made. Chad Kline made a motion to continue monitoring the situation and have a progress report next April 25th, 2016. Dave Dolezal seconded the motion. Motion carried 3-0.
- Burkhart Property - This property was discovered when a local resident registered a complaint. Norm has found the owner of the property to be incarcerated and has had contact with the owner's family. Norm did receive a letter from the owner which was given to all commissioners. After further discussion, Chad Kline made a motion to condemn the property and set 30 days from now for a progress report. November 9, 2015 at 9:30am for the date of review. Dave Dolezal seconded the motion. Motion carried 3-0.
- Diehl Property - Norm reported that this case is complete and closed.

VACATION OF A PUBLIC WAY

An order was issued to create the ordinance to allow vacation of the public way in Washington Township for Gloria Marrs and Jimmie Hill property. This is the north 12 feet of lot 75 in Oak Cliff Park at Knapp Lake. Chad Kline made a motion to approve the signature on the ordinance. Dave Dolezal seconded the motion. Motion carried 3-0.

911

Mitch Fiantt, 911 Director, came before the commissioners to a need to insure safety of officers. There have been times when officers can't get through on their radios due to overload usage. Mitch is asking permission to pay around \$3,000.00 for an antenna and interfaces when Ligonier puts in an additional bay station. Dave Dolezal moved to approve the purchase with a second coming from Chad Kline. Motion carried 3-0.

BOND RESOLUTION

A resolution was sent from Lisa Lee from Ice Miller to start the process for a bond to complete the highway garage project. This resolution is to establish a need for the project. Chad Kline made a motion to sign the resolution with a second coming from Dave Dolezal. Motion carried 3-0.

HEALTH DEPARTMENT

A memorandum of understanding that was approved on September 14, 2015 was signed today by the Noble County Commissioners.

NEW BUSINESS

Chad Kline informed the commissioners that the City of Kendallville was asking the commissioners to draft a letter of support for a tree project in the city. Dave Dolezal made a motion to write the letter of support for the Urban Forestry Assistance grant. Chad Kline seconded the motion. Motion carried 3-0. A letter was drafted, signed and was delivered to the city of Kendallville to submit along with their application for the grant.

PAYROLL

Payroll for the period of 08/21/15 through 09/03/15 and dated 10/01/2015 was reviewed. The report contained 5 pages and totaled \$328,622.66. Motion to approve payroll came from Chad Kline and was seconded by Dave Dolezal. Motion carried 3-0.

CLAIMS

The commissioners spoke with Chad Willett concerning a claim to Kiesler's Police Supply. Chad indicated that the claim was for replacement of off duty weapons for officers. The old weapons will be sent to Riley's for a credit on ammunition. Chad Kline made a motion to allow the purchase over \$500.00. Dave Dolezal seconded the motion. Motion carried 3-0. The commissioners completed their review of the 11 pages totaling \$235,875.12 and approved the claims with a motion from Dave Dolezal. Chad Kline seconded the motion. Motion carried 3-0.

CORRESPONDENCE

- Town of Albion – leachate report
- Invitation to a training seminar for Criminal Justice Detention and Facilities
- Weights & Measures monthly report
- Clerk's monthly report for CSI and Gavel
- Auditor & Treasurers balancing reports.
- Invitation for the Indianapolis trip for the EDC "Road to One Million" presentation.

APPOINTMENT

The commissioners had received a request from Bloom Gates & Whiteleather for an appointment to the Knapp Lake Area Conservancy District. Nicholas Stranger term was up on September 14, 2015 and he would like to be reappointed for another 4 year term. Chad Kline made a motion to appoint Mr. Stranger to serve the board for another 4 year term. Dave Dolezal seconded the motion. Motion carried 3-0.

LAWN CARE

Jackie had received an e-mail from Jay Stonebraker – J & J Landscaping, requesting permission to spray the sheriff's department and the south complex for clover and dandelions. Chad Kline made a motion to allow the spraying. Dave Dolezal seconded the motion. Motion carried 3-0.

QUIT CLAIM DEED

Sheri Auld, Deputy Auditor, had provided a deed from a tax certificate property for the commissioners to sign. This is the deed from the commissioners to Todd & Cheyenne Pritchard for High Lake lot 7. Chad Kline made a motion to sign the deed with a second coming from Dave Dolezal. Motion carried 3-0.

MINUTES

Minutes of the September 14, 2015 meeting were read and approved as corrected with a motion from Chad Kline and a second from Dave Dolezal. Motion carried 3-0.

UDO CHANGE

Nathan Miller, Plan Director, is present to request a change to the UDO. This is concerning minor sub divisions and according to Nathan there is an allowance for the plan commission board to appoint a plat committee to review the minor sub division plats once approved by the committee will eliminate the need for the board to approve the plat. This will eliminate a lot of time that is now being spent at board meetings. Dave Dolezal made a motion to allow this change to the UDO. Chad Kline seconded the motion. Motion carried 3-0.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11:15A.M. recessed from day to day until the 12th day of October, 2015.

Gary D. Leatherman, President

David J. Dolezal, Vice President

Chad Kline, Member

ATTESTED: _____
Tonya L Marks, Auditor