

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD September 9 2024**

Comes now the hour of 8:30 am. on the 9th 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 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.

CORRESPONDENCE

- Treasurers report – Month of August, 2024 – duly entered
- Clerk’s report – Month of August, 2024 – duly entered
- Landfill report from Scott Waninger of Wilcox Environmental Engineering. Gary Leatherman reported to the group that the people from the Treewell system would be coming to the landfill for their semi-annual inspection. He also reported that Mike Haines has completed the gas well replacement and the highway department has been there to spray the weed growth around the exterior of the landfill.
- A letter of support was provided to the Noble County Public Library in their efforts to secure a grant.

MINUTES

Minutes of the previous meeting were read and approved as corrected. Anita Hess made the motion. Gary Timmerman seconded. The motion carried 3-0.

CLAIMS

The Auditor supplied a 13-page report of claims. The report totaled \$1,624,290.02. Motion to approve came from Anita Hess. Gary Timmerman seconded. Motion carried 3-0.

PAYROLL

Gary Timmerman moved to approve the payroll dated 09/05/2024 in the amount of \$505,401.17. Anita Hess seconded the motion. The motion carried 3-0

OLD BUSINESS

- Anita Hess reported that she again reached out to the two appraisers for the land east of the landfill. Anita reported that she has not yet received the appraisals. She also informed the commissioners that she was getting drawings from the GIS department for this land.
- The ordinance for the Health department approved at the August 26, 2024 commissioners’ meeting was signed.
- The settlement release agreement was received by the commissioners. The agreement was signed with a motion from Anita Hess and a second from Gary Timmerman. The motion carried 3-0.
- Gary Timmerman told the commissioners that he had not yet received the requested documentation concerning the conflict-of-interest issue on the plan commission board. He indicated that he would like to set 9/23/24 as the deadline for that request. Anita Hess told the group that at 1:30 this morning, Teresa Tackett, Plan Director had received a “memorandum regarding conflicts of interest and Plan Commissions” from the plan commission attorney Everett Newman. Anita also indicated that there will be a charge for this service. Gary Timmerman told the group that he had requested the information from the plan director not the attorney. Gary Leatherman and Anita explained that this was a legal issue and that Teresa had reached out to her attorney for the legal response that was

just received. Anita shared copies of the response to the other commissioners, the commissioners file and County Attorney Dennis Graft. This issue will be further discussed at the next meeting once every one has had the chance to review the information received.

NEW BUSINESS

Glenn Ryan, Maintenance Director, was present for the following approvals:

- Automatic Door Controls – Glenn explained that there had been issues with the main outside doors to the New Annex Building, such as unlocking during the night or having trouble unlocking during the day. The company had been up to test the door and found the issue to be the electrified exit device within the door handle needed replaced. An estimate has been received in the amount of \$3,471.90. Motion to approve the repair to be done came from Anita Hess. Gary Timmerman seconded and the motion carried 3-0.
- Kone has sent a maintenance Contract Rider for the commissioners to sign which will delete the elevator at the courthouse from the maintenance agreement. The elevator at that location has now been removed and the agreement is no longer needed. Motion to sign this came from Anita Hess and was seconded by Gary Timmerman. Motion carried 3-0.
- Glenn also reported that the 2D sensor on the elevator door at the south complex is not working and needs replaced. The sensor detects movement and will prevent the door from shutting when an object is in the way. The cost of this repair is \$3,861.14 and is approved with a motion from Anita Hess and a second from Gary Timmerman. Motion carried 3-0.
- The last request is for a five-year testing of full load traction safety and that the governor and brakes are working properly. This is at a cost of \$3,390.06 and approved with a motion from Gary Timmerman. Anita Hess seconded. The motion carried 3-0.

The highway department is requesting the signing of the title for the 1995 Freightliner semi that has been replaced. This will be sold by the department. Motion to sign the title came from Anita Hess. Gary Timmerman seconded and the motion carried 3-0.

HIGHWAY

Richard Rogers, Highway Inspector, was present to get approval for the following:

- Richard is requesting a driveway variance for Adam Bowman. The drive location is short 200 feet on sight distance. Richard indicated that this is the best location for the drive and is suggesting that – if approved – there would be a hidden drive signage at the owners' expense. Gary Timmerman moved to approve the variance with the mandatory hidden drive signage. Anita Hess seconded. The motion carried 3-0.
- Gary Timmerman moved to allow the use of county road for the Cromwell Days event that will close a stretch of St Rd 5 for a short time. Anita Hess seconded. The motion carries 3-0.
- Richard also updated the ADA sidewalk work in LaOtto.
- 1100 N asphalt work is complete and the crews will be moving to Northport Road.

Zack Smith, Highway Engineer, has the following engineering update for the commissioners:

- Zack had brought a software package from to the commissioners several months ago, but when comparing the cost to savings, it was not cost effective. There is now something similar at a much cheaper cost. This is a software program offered by iWorQ. He reported that the first year is at a cost of \$18,300.00 with each year after being \$11,000.00. Huntington County is currently using this program and is very happy with it. Zack would like to move forward with this project to begin use in 2025. Gary Timmerman moved to approve with a second coming from Anita Hess. Motion carried 3-0.
- CR 400 N – This project is nearing completion with the shoulder work done and just some cleaning up and seeding to be done. Gary Timmerman approved an LPA voucher in the amount of \$36,129.93 for this project. Anita Hess seconded. The motion carried 3-0
- Bridge 136 - This project is proceeding very well with MSE walls complete. Pictures were provided
- Bridge 44 - another bridge going on and proceeding on schedule is Bridge 44. Zack reported that the walls were up and beams were being set. Pictures provided.
- Ball Road - Letting will be done this fall for this project.
- Bridge 134 - There is an LPA voucher for this project in the amount of \$20,130.00. Motion to approve the voucher came from Gary Timmerman. Anita Hess seconded. The motion carried 3-0. There is also an LPA voucher for this project for right-of-way acquisition.

Motion to approve this voucher in the amount of \$5,507.00 came from Gary Timmerman and was seconded by Anita Hess. Motion carried 3-0.

- Bridge 69 – Zack reported that they are finishing up right of way work on this project.
- Bridge 59 – Gary Timmerman approved an LPA voucher for preliminary engineering on this project. Anita Hess seconded and the motion carried 3-0.
- Bridge 61 – An INDOT project coordination contract for Bridge 61 is coming before the commissioners for approval. Gary Timmerman moved to sign the contract. Anita Hess seconded and the motion carried 3-0
- Bridge 56 – There was an INDOT contract for this project as well. Motion to sign this one came from Gary Timmerman and was seconded by Anita Hess. Motion carried 3-0
- CO RD 50 W – Zack reported that he is still waiting on information from Scott Ziegler to proceed with this transfer.
- Applications for the 2026 round of LPA projects is opening up on November 7. Zack will be submitting applications for Bridge 67 and Bridge 75.
- The commissioners signed a letter of understanding with INDOT for a local detour for a large culvert project on SR 9. This will use Baseline Road to 75 E to 100 N as the local detour. Motion to sign the letter of understanding came from Gary Timmerman. Anita Hess seconded and the motion carried 3-0.

COURTHOUSE RENOVATION

Zack Smith, Project Manager, and Conner Lundquist, Project engineer for Weigand, were present for the update on the courthouse renovation.

- Meeting minutes #16 as well as updated schedules were provided on this project.
- Weigand will need to shut down the east side of York Street with an exact date yet to be determined.
- Zack reported that he had taken the three judges on a recent tour of the courthouse and had positive feedback from all.
- Weigand and the sub-contractors continue to be on site and working their way done from 3rd to 1st floor. Pictures provided
- PCO 5 – this is for a design development in the amount of \$3,464.93 going towards contingency. Gary Timmerman moved to approve. Anita Hess seconded and the motion carried 3-0
- PCO 52 – this is to add FA horn strobes and install back boxes for fire alarm devices. Motion to approve the \$1,461.02 to contingency came from Gary Timmerman and was seconded by Anita Hess. Motion carried 3-0
- PCO 58 - with the damage to the irrigation being apparent but not knowing the extent of the damage the decision was made to install all new irrigation. This will be at a cost of \$86,964.00 and was approved with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0. Harlow will be doing the work. There will be hook up to the fountain and also a plan document of the irrigation equipment provided in this cost.
- PCO 61 is for drywall patching on the 3rd floor. This came in at \$4,042.76 to be charged to contingency. Gary Timmerman moved to approve. Anita Hess seconded and the motion carried 3-0.
- PCO 62 - \$2,962.52 was the cost of plaster repair on the 2nd floor. Gary Timmerman moved to approve this amount to contingency with a second coming from Anita Hess. Motion carried 3-0
- PCO 67 – this is for 1st and 2nd floor plaster work. The add to contingency will be \$11,006.92 which was approved with a motion from Gary Timmerman. Anita Hess seconded. Motion carried 3-0.
- PCO 75 is dealing with underground reroute and radian heat in the amount of \$3,537.54. This is approved with a motion from Gary Timmerman. Anita Hess seconded. Motion carries 3-0.
- PCO 76 – two garbage disposers have been eliminated from the project and so a credit to contingency is being made in the amount of \$837.70. Gary Timmerman moved to approve. Anita Hess seconded. Motion carried 3-0
- PCO 77 is for fan coil protection in the amount of \$1,831.06 to contingency. Motion to approve came from Gary Timmerman and was seconded by Anita Hess. Motion carried 3-0.
- PCO 78 – Design development to change the counters resulted in a credit of \$1,764.00 back to contingency. Motion to approve the credit came from Gary Timmerman and was seconded by Anita Hess. Motion carried 3-0.

- PCO 79 – another design change resulting in a credit in the amount of \$1,288.52 for the sidewalk was approved with a motion from Gary Timmerman and a second from Anita Hess. Motion carried 3-0.
- PCO 80 - Laminate Drywall on the 1st floor resulted in a \$6,851.43 charge to contingency. Gary Timmerman moved to approve. Anita Hess seconded. Motion carried 3-0.
- PCO 81 – Zack reported that there was a gap between flooring and the base molding that required work. Gary Timmerman approved \$4,150.24 to contingency to correct this issue. Anita Hess seconded. Motion carried 3-0.
- PCO 83- because of the change of entrance to the courthouse now being the west side, columns were installed to complete and match the existing columns. \$3,767.29 is for painting of the new and old columns for complete matching. Gary Timmerman moved to approve. Anita Hess seconded. Motion carries 3-0.
- PCO 84 – This is to furnish and install a 30A breaker and strap kit for the surge protection device. The cost to contingency is 1,418.54. Gary Timmerman moved to approve. Anita Hess seconded. Motion carries 3-0.
- PCO 85 - We have received a credit to contingency for QC material testing. Gary Timmerman approved the credit of \$3,372.69. Anita Hess seconded. Motion carried 3-0.
- Art Entry – Zack reported that the artist has picked up the information of the desired project and they are working on the scope of the project.
- Furniture – The full scope of furniture drawings has been received. Cost breakdown:

1. Clerk's office	\$35,410.76
2. Probation	\$38,928.83
3. Public area	\$ 857.80
4. Receive deliver & install + freight	\$ 6,932.93
5. Superior I	\$88,732.29
6. Circuit Court	\$91,134.84
7. Consult rooms	\$ 5,738.66
8. Receive deliver & install +freight	\$30,270.52
9. Probation 2 nd floor	\$77,775.51
10. Superior II 2 nd floor	\$85,847.18
11. Public	\$ 1,873.76
12. Receive deliver & install + freight	\$ 8,488.62

This making the total cost of the FFE approximately \$472,000.00 which is under budget.

- The last thing discussed was the Addendum to Independent contractor agreement. The Courthouse renovation will not be over by the end of the year but is expected to be completed early in 2025. Zack is willing to extend this contract 6 months into 2025 at a cost of \$25,000.00. The commissioners had discussed this very issue earlier and were all in agreement with this amount. Motion to sign the addendum came from Anita Hess. Gary Timmerman seconded and the motion carried 3-0. This will be brought to the Noble County Council at its next meeting.

WEST LAKES

Dan Lash along with Randy Mull, came before the commissioners to discuss starting a conservancy at West Lake. The homeowners at West Lakes have done a lot of work in the area as far as log removal and weed control. This has been done in the 3-mile transition area between Dukes Bridge and Cosperville. Dan had a presentation that showed graphs as to water flow after week treatments etc. Dan explained that they have been able to do this through the homeowners and LARE Grants. The problem now is that the LARE grant money is drying up at least for the West Lakes area. Dan told the commissioners that only about 30% of the approximate 500 properties that benefit is participating in the funding. The West Lakes Association would now like to form a conservancy which will allow funding to continue weed control and sediment accumulation in the lakes area. The group has been in contact with Dave Abbot and Sue Glick and are coming to the commissioners to see if there is any funding available to help with the engineering of the project and attorney fees to start this process. When the commissioners asked about funding,

Jackie responded that with courthouse renovation and not knowing for sure that we will completely stay within the budget, she would rather wait until the courthouse is nearer to completion to see exactly what dollars might be available for other commitments. Mr. Lash seemed to completely understand and indicated that this could be discussed further after the beginning of the year. At that time, maybe they will have a better idea of cost and the courthouse should be nearing completion with some idea of what is left to pay on that. Matt Meerson from

SJRB was also present and felt that a conservancy would be helpful in continuing the work that has been started in the West Lakes area.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 11:02 am recessed from day to day until September 23, 2024

Dated this 23rd day of Sept, 2024



Gary D. Leatherman, President




Anita Hess, Vice President



Gary Timmerman, Member

ATTESTED:



Michelle Mawhorter, Auditor