

# Decatur County Commissioner's

Monday, August 6<sup>th</sup>, 2012 8:00 a.m.

Present: Rick Nobbe, Jerome Buening, John Richards

Claims were approved as presented.

The minutes for the July 16<sup>th</sup> meeting were approved as presented.

**Mark Mohr, Decatur County Highway Superintendent** opened discussion by requesting that the Auditor's office revert back to putting "LPA" vouchers into his mailbox. His office keeps record of claims filed on federal contracts and is having difficulty tracking reimbursable charges because the statements are being mailed to the commissioner's attention. Mrs. Wenning will make sure everyone in the Auditor's office knows to put any invoices or correspondence from Aecon, RW Armstrong, Burgess and Niple, and other contractors that come in with anything to do with bridges and highways.

There was some quick discussion on a request to use the Westport Covered Bridge as a site for a wedding on October 7<sup>th</sup> at 2:00 p.m. Mr. Mohr presented the specifications on what engineers believe the bridge capacity should be. The Auditor will find out what sort of insurance requirements the county's liability carrier needs.

Mr. Mohr continued to update the Commissioners and reported that Bridge 19 is complete and just waiting on INDOT to do the final review. He also provided an update on Bridge 25 and stated that in regards to the Bridge 18 right of way issue, a Cathy Eaton from INDOT stressed that counties shouldn't get hung up on right of way issues. Mr. Mohr inferred that she is worried the funding will go away and that counties should act while there is still a possibility of getting a project going. Mr. Buening mentioned that during a recent conversation with Aecon Engineer Ron May, another landowner has reconsidered what was considered an offer he had accepted and now wants more money. Mr. Buening expressed his concern that citizens are going to begin thinking there is a blank checkbook. On this particular parcel, Mr. John Richards stated he felt that condemnation proceedings should proceed because this landowner was offered a very fair price of \$10,800 per acre including some modifications. Mr. Mohr suggested that future policy should be to include 3 appraisals and take an average and set up a standard offer, then if the landowner doesn't accept the offer the county should proceed with condemnation.

Mr. Jerome Buening moved that condemnation proceedings be started on the additional property. Mr. John Richards seconded the motion and Mr. Rick Nobbe concurred.

Mr. Mohr presented his updated list of stop signs to be drafted into an ordinance. There was some discussion between Mr. Mohr and County Attorney Peg Polanski. Ms. Polanski's main concern was that the general public will not understand the manner in which the proposed ordinance presents the information. There was some discussion amongst the commissioners and Ms. Polanski said she would review the document and put it into ordinance form.

Mr. Buening mentioned his concerns about the signage on Bridge 25 not having enough weight in the sandbags to hold the sign in place. Mr. Mohr will send someone to take care of it.

**Patty Jackson, SIRPC introduced Ashley Salyer** as her assistant with the rehab program. She used the Commissioner meeting as an opportunity to hold the Public Meeting required by law. She announced that a grant for \$500,000 for the rehab program had been requested and received for Decatur County. The program will be assisting 25 residences with minor repairs that will amount to less than \$20,000 on each property. There will need to be home inspections

performed. Ms. Jackson asked those present if there were any questions in regard to the program. There were no questions and the only comments were that the county and city appreciate the work that Ms. Jackson has done to help secure this grant. She then stated that a resolution would need to be passed. Ms. Jackson read the resolution to those present. Mr. John Richards moved to approve the resolution. Mr. Jerome Buening seconded the motion and Mr. Rick Nobbe concurred. The motion carried and the resolution was signed by Rick Nobbe, President of the County Commissioners. There was also a sub-recipient agreement between the County and SIRPC that needed to be signed that stated that the costs of administering the contract cannot exceed \$107,750 of the grant money. The costs associated with the inspections and the assessment will come out of that amount. That document was also signed signifying the Commissioner's approval. Information on the 25<sup>th</sup> residence to be accepted into the program was submitted. Ms. Jackson laid out the timeline for the rehab program with bid opening scheduled for November or December. Someone asked about before and after photos of the rehabilitated properties and Ms. Jackson assured those present that pictures are part of the process.

**Mayor Gary Herbert** presented a letter of welcome for the county to co-sign with the city welcoming a car show into the area. The show will be held at High Point Orchard and the letter will be part of a "goody" bag featuring coupons and treats from area businesses to promote local shopping, dining and other attractions. Mr. Nobbe thanked Mayor Herbert for composing the letter and for including the county.

Mr. Buening mentioned his concern to the Mayor that bridge plans have still not been received from the city. The Mayor reported that due to the retirement of an engineer, it had been difficult retrieving the plans but that he would have Gary Murray contact Mr. Mohr. He also offered to provide the city portion of the funding to SIRPC upon request and Ms. Jackson said that funding requests would come later.

**County Assessor Dorene Greiwe** reported that she had reviewed the three bids for the next reassessment. Those companies were Ad Valorem, Tyler Technologies and Appraisal Research. There was some discussion of pricing, how each company performs their work and what her preference would be. After brief discussion, Mr. Buening moved to award the contract to Ad Valorem. Mr. Richards seconded the motion and Mr. Nobbe concurred. Multiple copies of the contract were signed.

**Linda Simmons, CEO of Decatur County Memorial Hospital** reported that a bid for \$42,500 had been received for the First Street property. After some discussion of the purchaser and the procedure that had been followed, Mr. Buening moved to sign the documents and issue the warranty deed to the property located at 333 East First Street in Greensburg. Mr. John Richards seconded the motion. The motion carried.

**Mrs. Vivian Drake**, a local landowner presented copies of a letter that she had given to members of the county in the past and reported that she had not received any satisfaction for her complaint. Her problem is with a neighboring property that she contends has a trucking company operating on it and thereby devaluing her property. Her concern is that several land use and zoning laws are being ignored and she presented pictures of the property before and after the problem began. She stated she has been on her property for 45 years and is very displeased with the lack of help. Area Plan Director David Neuman reported he had investigated and produced maps showing the commissioners why he doesn't feel the owner of the trucking company is in violation of any zoning laws. After much back and forth discussion, Ms. Drake said she had talked to an attorney and that her husband had spoken with the neighbor with the truck but had gotten nowhere. County Attorney Peg Polanski said she would like to check with Missy Scholl regarding zoning ordinances. Mr. Neuman reported that the President of the Zoning Board had visited the property and Mrs. Drake did not recall that visit. Commissioner John Richards reported he had visited the area and hadn't gotten complaints from any other property owners. Mrs. Drake was encouraged to attend the next Area Plan meeting which is scheduled

for September 5<sup>th</sup> at 7:00 p.m. in the same meeting room. She was informed that she would need to call Area Plan and get placed on the agenda.

**Area Plan Director David Neuman** presented a Subdivision Contract amendment that had been requested by the commissioners. The amendment focused on making it easier for people to build without having to go through the Board of Zoning Appeals to get their septic systems started. He reported that once the septic surveys are done, they will be added into a new layer on GIS that maps septic locations. Ms. Polanski questioned the secondary site requirement to clarify what the long term ramifications are on the “no planting” provision. According to Mr. Neuman, it is so when the current septic system fails, there will be an alternate site ready. There was much discussion of the definition of plants, trees, sewage treatment plans, and the depth of septic systems. After all of the discussion, Mr. Buening thought he would like time to review the document prior to signing. Mr. Nobbe mentioned he would like Ms. Polanski to review it as well. Mr. Neuman reminded the commissioners that the document was prepared at the recommendation of the commissioners.

Mr. Nobbe asked Ms. Polanski to review a document from Indiana Gas. Upon review, she said there was no reason that Mr. Nobbe couldn't sign it.

Discussion returned to the request to use the covered bridge for a wedding. Mr. John Richards moved to allow usage of the bridge contingent upon proof of insurance. Mr. Buening seconded the motion.

**Mary Miers of the Animal Control Board** had requested that Michelle Anderson be appointed to fill the vacancy created by the resignation of Cindy Mclaughlin. Mr. Richards voiced concern that the southern end of the county has no representation and that he had conveyed that concern to Ms. Miers and that she was possibly looking into finding a replacement from there. This discussion will be revisited at the August 20<sup>th</sup> meeting so that Mr. Richards can investigate.

Ms. Polanski reported that she had given Ms. Miers a copy of the proposed revision to the citation appeal process. Ms. Miers plans on reviewing with the Animal Control Board to get their input and will then report back to Ms. Polanski.

After reading a letter from EMA Director Rob Duckworth that recommended the burn ban stay in place, and hearing that the local firefighters were also in favor of continuing the ban, the commissioners decided that a conference call be set up for Monday, August 13<sup>th</sup> to review the ban and see if conditions have changed enough by then to merit changing or dropping it.

Mr. Nobbe reported the efforts of the **EMA board** had resulted in the hiring of Rob Duckworth as the Director and Peggy Brown as the Deputy Director. The positions will work up to 15-20 hours per week with a set hourly wage. Mr. Nobbe explained their duties and mentioned that there will be a yearly review of the appointments. He also mentioned that the terms of the Advisory Council are now staggered. The Commissioners discussed their appreciation of how effectively the EMA Council is working and that the new structure has great functionality.

Mr. Buening moved to make the EMA Board Appointments of Rob Duckworth as Director and Peggy Brown as Deputy Director. Mr. Richards seconded the motion, Mr. Nobbe concurred and the motion carried.

Ms. Polanski enquired as to whether she should proceed with the eminent domain action in court and Commissioners Buening and Richards said yes. She also mentioned that the courthouse bonds are almost paid off and asked the commissioners to consider whether they would want to pay off the bonds early, saving the Auditor's office a lot of work next year and saving the county some money.

**Harold Sample, Veterans Service Officer** requested permission to purchase new ropes for two of the flagpoles and was given the okay by the commissioners to proceed. He also reported that

his computer went down and that the 7 year old machine was used when he got it and that Barry/RBSK doesn't think it can be fixed. After some discussion, the commissioners agreed that they could help Mr. Sample with the purchase of a new computer.

Tami Wenning reported that local realtor Donna Tewmey had asked permission to include the county's website as a link on her homepage. Permission was granted.

Mr. Nobbe discussed the procedure that needs to be followed when there is a livestock kill in the county. Wenning prepared a claim for the loss of three lambs and had researched market price. There was some discussion on developing some sort of guidelines to follow.

Mr. Buening asked if the fair board lease issue had been discussed. Mr. Richards reported that a meeting hadn't been held since the fair.

Mr. Buening moved to recess. Mr. Richards seconded the motion. The motion carried.

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Rick Nobbe, President

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Attest: \_\_\_\_\_

Date: \_\_\_\_\_