

**Decatur County Commissioners**  
**August 20th, 2012 8:00 A.M.**

Present: Rick Nobbe, Jerome Buening, John Richards

Claims were approved as presented.

Auditor Tami Wenning is to correct the minutes of the August 6th meeting regarding the name of the Contractor Burgess and Niple and the corrected minutes will be considered approved as amended.

**Mark Mohr, Decatur County Highway Superintendent** gave his bi-weekly report. He presented an additional claim to be considered for this week's paid claims and the commissioners approved the claim for payment with the August 20th claims. Mr Mohr reported that Bridge 19 is open and the signage will come down this week. The Sheriff's department and the schools have been notified. Bridge 25 has all floor beams set and they are currently working on deck work. Mr. Mohr will soon discuss the additional paving on the approaches with Milestone and will see if that is funded with the Honda TIF Project. He reported the closure on base road and 850 East and that the pipes are ordered and expected this week with excavation beginning later today. He has slowed O'Mara's on paving so he can coordinate when CR 850 needs paved. Mr. Nobbe asked if there are two pipes that are getting replaced and Mr. Mohr said yes.

**Ron May, Aecon Engineer** commented that on Bridge 18, paperwork on the first rights of way has been received and another deed should be on its way. The Dillander property has now accepted the original proposal so only one property remains in question. County Attorney Peg Polanski asked about filing the suit and was told to proceed. Mr. May presented the final plans for Bridge 18 and reviewed the changes that had been made on the original. It is a three span type 3, I-beam bridge. The commissioners reviewed the plans and asked several questions. Mr. Jerome Buening moved to sign the title sheet on the drawings for Bridge 18. Mr. John Richards seconded the motion. Mr. Rick Nobbe concurred, the motion carried and the commissioners signed the document. Mike Waldron, Butler, Fehrman and Seifert presented the bridge construction inspection contract for \$994,000 at 12 ½ %. Mr Rick Nobbe asked for a motion to accept the Bridge 18 proposal for bridge construction inspection from Butler, Fehrman and Seifert. Mr. Jerome Buening moved to accept the proposal and Mr. John Richards seconded the motion. The motion carried. Mr. John Richards asked Mr. Mark Mohr about a concern on the east side of 60 East, South of CR 650 S, Where the shoulder of the road is gone and there is a deep ditch. There was some discussion of what might be the proper way to deal with the area.

**Mary Miers, Animal Control Board Member** presented a letter of request to the Commissioners requesting that the board appoint Ms. Michelle Anderson to the vacancy created by the resignation of Cindy McLaughlin. Mr. John Richards voiced his opinion in regards to having representation from the southern end of the county on that board. Another ACB member, Joanie Nobbe commented that she supported the appointment of Ms. Anderson due to her qualifications and that each member of the board has certain qualities that give them a better overall board. Ms. Anderson would fit into the opening they have. Ms. Nobbe emphasized that the Animal Control Board works without regards to district or lines. After more discussion, Mr. Buening moved to appoint Michelle Anderson to replace Cindy McLaughlin. Mr Richards did not vote. Mr. Nobbe seconded the motion, which carried with 2 of the 3 voting yes. The McLaughlin appointment would have expired in 2014. Mr. Nobbe also wished to thank Ms. McLaughlin for her service.

Mr. Nobbe asked Ms. Polanski whether the stop sign ordinance had been reviewed. She reported that it had been dropped off at the Prosecutor's office to see if they had any problems with it and she has not heard back from them. Mr. Nobbe reported that he had been told by the Sheriff's Department that they have the capability to turn in reports to the Prosecutor.

**David Neuman, Area Plan Director and Andy Scholle, County Surveyor** were present to discuss any questions or concern with the proposed amendment to the Decatur County Subdivision Control Ordinance, Article 2 Section 216 and Article 9, Section 940, Paragraph 4. Mr. Nobbe said that when the Commissioners asked Area Plan to look at amending the ordinance, it was focused on major subdivisions. Meetings between Area Plan, the Board of Health, the Surveyor and representatives from the state suggested the proposed changes. There was discussion of primary and secondary sites and whether some of the proposed changes may expose the county and area plan to lawsuits. The Commissioners had several other questions and comments including whether the proposed changes would allow more building sites or limit them. Mr. Neuman replied that it will allow more building sites with the comprehensive plan. Also, any applications that don't meet the criteria can be reviewed by the BZA/APC and variances can be granted and are already granted on a regular basis. A discussion of the distance between existing sewer lines and new construction opened up more discussion. The proposed change is to 1000 feet. The existing ordinance is 600 feet. The commissioners wanted to ensure that construction is encouraged in the proper areas. Mr. Neuman pointed out that the changes are not changing how property gets rezoned. He also pointed out that the Board of Health is the first to approve before it has to be rezoned or before it gets approved for a building permit. Surveyor Andy Scholle commented on the GIS system. There was much discussion of easement descriptions, septic sites and legal descriptions. County Attorney Peg Polanski voiced her concern with the wording in regard to what can be planted on secondary sites. A large number of potential variations on what would be acceptable and not acceptable and when is a septic required were discussed. Mr. Neuman offered to take the proposed changes back to his board for reconsideration. Mr. Buening suggested passing the ordinance and seeing how many issues come from the new regulations. Mr. Richards moved to accept the proposed changes to the Decatur County Subdivision Control Ordinance to Articles 2, Section 216-217 and Article 9, Section 940. Mr. Buening seconded the motion, Mr. Nobbe concurred and the motion carried.

Mr Nobbe confirmed with Tami Wenning that the violations listed by the Department of Homeland Security on Elevator Maintenance were taken care of.

The Animal Control Board citation revision hasn't been completed yet.

There was some discussion of the use of the Westport Covered Bridge for a couple of upcoming weddings.

Commissioner Rick Nobbe thanked Hitachi Powdered Metals for the \$10,000 donation made to the Parks Department. He also announced that the local EMA was awarded a competitive grant for \$4,054 that will be used for planning, equipment and training within the emergency response field. Mr. Nobbe thanked Mr. Rob Duckworth for securing the grant.

The next scheduled meeting for the Commissioners will be held on a Tuesday due to the Labor Day Holiday. The meeting will be held at 8:00 a.m. on Tuesday, September 4th, 2012. There being no further business at hand, Mr. John Richards moved to recess. Mr. Buening seconded the motion. The motion carried.

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Rick Nobbe, President

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

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