

Decatur County Commissioners  
Monday, October 21<sup>st</sup>, 2013  
8:00 a.m. Room 106

Present: Rick Nobbe, Jerome Buening, John Richards

Claims were approved as presented.

Minutes were approved as submitted.

Mr. Mark Mohr, Decatur County Highway Superintendent gave an update on the bridge inspection project currently being conducted by United. All the bridges have been physically looked at and pertinent data has been collected. Mr. Mohr reported that he and Commissioner Richards had looked at Bridge 168 near Westport to consider whether it would be a candidate for an upcoming call for projects. (Nov. 1<sup>st</sup> – Dec. 15<sup>th</sup>) The bridge is considered a good candidate for rehabilitation. Mr. Mohr will be attending an INDOT meeting in Seymour for an update on new stipulations for projects. After some investigation, Mr. Ron May and Mr. Mohr determined that Bridge 124, west of Burney on 100 N. would be a good “in-house” project for the county bridge crew. The plan proposed by Aecon/Mr. May would be okay with INDOT. Mr. Mohr indicated that he felt comfortable that right of way could be acquired without cost. Mr. Buening moved that Aecon’s proposal for Bridge 124 be approved. Mr. Richards seconded the motion. The motion carried.

Mr. Mohr discussed one location on the pipeline project that didn’t get put back to specs on the backside of a fence. After some discussion with the company and the property owner, it was proposed that if the pipeline people stoned CR 950S, the landowner and the county would call it even.

Mr. Mohr presented Mr. Nobbe with several “Requests for Proposals” for inspection of Bridge 2. It was decided that Mr. Mohr, Mr. Buening and one more person would do the scoring. RFP’s were received from R.W. Armstrong, Janssen & Spaans, Clark Dietz, United, Barth & Associates, and Schneider. The trio will score the requests and let the commissioners know the totals. Once the commissioners review and recommend, that information will then be forwarded to INDOT.

Mr. Mohr commented that Enterprise is still on track to be out of the county within a few weeks. Currently, the highway crews are chipping and sealing. They are working on an area near Clarksburg and tying the area together with prior work. (Near Doug Schwering’s place)

Ms. Sharon Mang was present to request use of the north entryway and lobby area on Wednesday, November 6<sup>th</sup> from 11:00 – 3:00 for a display for the Greensburg High School Fall Chataqua. The school is focusing on the Civil War era and her Housing and Interior Design class has created displays that highlight what the downtown looked like during that time period. Groups of junior history students will be on hand and will be touring and the area will be open to the public as well. It was also mentioned that the displays could find a permanent home at the courthouse if the commissioners had a spot they could locate them. Mr. Richards moved to allow the display and the tours. Mr. Buening seconded the motion. The motion carried. Ms. Mang was asked the architectural style of the courthouse and she said it is Italianate Romanesque.

Mr. May voiced concerns regarding the placement of displays in regard to citizens with disabilities, specifically those with vision impairment and wheelchairs. He discussed the importance of revisiting the 25 year plan annually. He suggested it be updated annually and broken into 5 year chunks with specific tasks assigned to those time frames. The current transition plan is primarily for properties under the commissioner’s jurisdiction with other properties coming on in the future. The plan will continue to change as standards evolve. Mr. May also prepared a new title sheet for the plan for the commissioners. There are three originals that will be updated and the electronic copy. Mr. Nobbe requested an additional hardcopy for the commissioners to have on hand.

No public comments were received on the document. Mr. Richards moved to approve the Transition Plan for Decatur County for the 1990 Americans with Disabilities Act. Mr. Buening seconded the motion. The motion carried.

There were brief comments about the DNR Reservoir. The letter of acceptance has been sent and nothing has been heard back from the DNR. Ms. Wenning will put the DNR Reservoir on "Topics" for the next meeting.

Mr. David Graham, Workplace Insurance did not show up for the meeting.

Ms. Wenning discussed ESPY Services. County Attorney Peg Polanski had questions on the contract and recommended that the reference "10 days" for payment be changed to 30 days, the 1½ % clause should come out, the last sentence in #8 should be removed and then the contract will be reviewed at the next Commissioner meeting.

BSI submitted a bid for audio and digital recording of proceedings. After reviewing the costs associated with the project, the Commissioners agreed that they were happy with the way things currently take place.

Ms. Wenning made the board aware that the county is undergoing a federal audit due to the amount of federal grants received in the county.

There was some discussion of the personnel policy. Ms. Wenning did supply electronic copies and hard copies to the County Council. It did not appear that they had reviewed the document. Mr. Nobbe will attend the next Council meeting to officially ask Council for their approval.

Mr. Nobbe asked about the Codification project and how far along we are in the process. Ms. Wenning will check with the company.

There was a brief lull in the meeting prior to an advertised hearing for Cottonwood Lake Subdivision. Ms. Polanski discussed with the Commissioners what the procedure for the hearing had been up to this point and what the follow up would entail. At 9:00 a.m., it was announced that the Public Hearing advertised for Cottonwood Lake Subdivision was opened for discussion. It was stated that the meeting was held at the request of the CLS owners to consider formation of an economic improvement district. A map and list of the related property owners was present for viewing. All potentially affected property owners were mailed notices of the hearing and a map of the area.

Mr. Mike Heger asked what is being considered since he just received a letter that didn't really detail what the proposal was. In addition, he stated that the gentleman that signed approval on Mr. Heger's property is actually buying it on contract so Mr. Heger didn't feel that Mr. Anderson had the right to sign on his behalf. It was pointed out that Mr. Anderson does pay the taxes and the homeowner's association dues and the land contract is recorded.

Commissioner Rick Nobbe explained that there are landowners that desire to improve and blacktop the roads in Cottonwood. There is a state statute that allows for Economic Improvement Districts to ask for county costs and materials pricing in order to begin pricing the project. Roads 210 West, 230 West and 240 West are the roads that need improved. Once a cost estimate and actual costs are determined, the cost would be divided among the property owners to be paid back to wherever the loan originates from. The question arose whether the new owner would assume obligations if the property was sold. Yes. Owner Joseph Allen Stewart stated that he has listed his house and he has to fully disclose but the people buying into the subdivision are concerned about deterioration too. The impact on taxes will be minimal and has to be disclosed. Folks would be willing to pay over a period of time instead of one lump sum.

Ms. Polanski voiced her concern over the ownership versus contract owners and will be reviewing the owner list again. There was discussion among the property owners that were present about who is in the proposed area and what properties were listed that are not in the area. Ms. Van Shaik explained the process used to determine whether a property owner would be utilizing the improvements, thus be responsible for helping pay back. Owners Mr. Mozingo and Mr. Herbert asked specifics about several properties. Properties that adjoined but had alternative access weren't included.

Mr. Nobbe brought the discussion back to the matter at hand which is to see if a district is established or not. There needs to be 51% of the owners to go forward and there is opportunity for a remonstrance

afterwards. There was more discussion concerning parcels and certain properties. Mr. Nobbe pointed out that percentages need to be checked and a determination made to see if the signatures of contract buyers are legal or not. Ms. Van Shaik commented that for the record, Mr. Anderson did understand in his contract that he was responsible for taxes and HOA dues and he felt that this would also be his responsibility. Mr. Nobbe commented that he understood Mr. Heger's position due to contract possibly not being fulfilled therefore putting the responsibility for repayment onto Mr. Heger. There was discussion CR 500 being paved from Cottonwood to the new bridge. There were multiple comments concerning the issue. Mr. Nobbe reiterated that the county is following what is required by advertising and hosting the public hearing when there is consideration of forming an Economic Improvement District. He did say that commissioners do receive requests to get that area of 500 blacktopped. At this point, he said the county needs to reevaluate the numbers and assessed values and revisit this. The next commissioner meeting is November 4<sup>th</sup> at 8:00 a.m. and it will be addressed then. Ms. Polanski commented that these districts are hard to work with and there isn't a lot of guidance available. After some questions she stated that "creating this district does not create an obligation for the county".

The Public Hearing was adjourned at 9:26 and it was determined that another notice wouldn't need to be sent out. The next public hearing will begin at 8:30 a.m. on November 4<sup>th</sup>.

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

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Rick Nobbe, President

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Attest \_\_\_\_\_

Date \_\_\_\_\_