

Commissioners Meeting

May 16, 2016, 8:00 a m

Present: John Richards, Jerome Buening and Rick Nobbe

President John Richards called the meeting to order.

Highway Superintendent Mark Mohr told Commissioners four companies- **Butler, Fairman & Seufert, Clark Dietz, United Consultants and USI**, have submitted proposals for the 2017- 2020 Bridge Inspections for Decatur County. He will form a three-member committee to review and bring a recommendation back to the next Commissioners' meeting. Mr Buening volunteered to be on the Committee; Mr Mohr will be the second person; so he will find one more person to complete the Committee. Mr Mohr has applied for **Federal Aid (INDOT)** for Bridge 236 located in Greensburg on Central Avenue. He should know late in 2016 if approved for this two million dollar project which would 'be done' in the 2021 construction season. The Highway Dept will replace guard rails on the **Westport Covered Bridge** before the **Covered Bridge Festival** on June 4th. Mr Mohr plans to attend an **INDOT** meeting in Greenfield on May 26th to learn more on **HB 1001** and local match dollars required. Once bids are awarded for a project (if you're lucky enough to get approved), you pick/hire a consultant (most already have their summer projects scheduled) and go through the August letting; then do the project about when the construction season is starting to winding down. Also, any road paving for this summer hinges on monies not needed for those local match dollars. The PACER rating for county roads is already in place, so now he is working on a five year plan.

The May 2nd meeting minutes were approved as presented.

The claims were reviewed and approved to be paid.

County Attorney Drew Young presented **Ordinances 2016-2 and 2016-3** for the Commissioners' review and approval. Mr Nobbe moved to support the **County Election Board** in paying poll workers an additional \$10 to setup polls the night before an election. Mr Buening seconded the motion and Mr Richards concurred. Mr Nobbe moved to adopt **Ordinance 2016-3**, setting Board and Commission term expiration dates of December 31st of a calendar year with the exception of the Library Board. Mr Buening seconded the motion and Mr Richards concurred.

Area Plan Director Krista Duvall presented one petition for rezoning, submitted by Wendell and Margaret Tinsley. Mr Nobbe moved to approve rezoning 1.54 acres from A-1 to A-2 for the building of a dog kennel. Mr Buening seconded and Mr Richards concurred.

Jack Krouse, President of **Construction Control Inc (CCI)**, is working with several counties (Rush, Tipton, Adams) on 'building a county jail'. Each of these counties are at different stages of their jail projects and Mr Krouse offered to meet with the Commissioners, Council, Sheriff to help them with the 'process/steps' for financing a new jail through actual construction of the jail.

Jeff Whitaker shared his concerns for 'activity' in his neighborhood with the Commissioners. There were several concerned citizens in attendance who shared those same concerns. He stated the 'firing of weapons' is a danger to his neighbors and his family; therefore he is asking the Commissioners to put a stop to it. Mr Whitaker said gunfire is coming across property lines. Another issue he has is the 'captive hunting fence' which is not permitted by the **Area Plan Commission Ordinance**. Ms Duvall told those in attendance the fence was put up prior to the **2007 Ordinance** so it was 'grandfathered in' when new laws were adopted. She has contacted the **State Department of Natural Resources** on the fence issue and was told it is in compliance. Mr Young had spoken to Mr Whitaker prior to this morning's meeting and recommended he hire a lawyer to file a private nuisance lawsuit. Mr Whitaker asked Mr Young to view a video on his IPAD from the **Bell Precision's** website.

Jerry and Joe Bell of **Bell Precision** spoke in their defense of making firearms for the **Navy Seals Teams** and shooting activities on their property. They, too, had several citizens in attendance on their behalf. Jerry told the audience there wasn't any live ammo used in the video on their website.

Roger Krzyzanowski- Decatur County Board of Zoning Appeals, Jay Hatton and Albert Armand- both sit on the **Decatur County Area Plan Commission and the Board of Zoning Appeals**, were present to answers questions from the **County Commissioners** and audience. Mr Krzyzanowski stated nothing currently is being done by the **BZA**.

County Assessor Dorene Greiwe told the Commissioners once she was made aware of the ‘gun making business’ located on the Bell property, she will be ‘reviewing and reassessing’ what parts of the property are commercial and/or agriculture for future tax bills.

Jerry Bell told Commissioners he is very concerned with liability and **Bell Precision** holds an **AO7 License as well as a Special Optical Tactics Certification**; also they have security clearance at the **Crane Naval Facility**. He added his son, Joe, will be doing a million dollars-worth of business this year and that safety is foremost in their everyday work. Mr Krzyzanowski stated the **BZA** gave **Bell Precision** a five-year conditional approval for the gun assembly business and only for six to seven acres.

Mr Richards stated these complaints/concerns need to be dealt with by the **APC and BZA** before coming before the **Board of Commissioners**. He further stated the **Sheriff, a Board of Health person and County Assessor** should each visit the Bell property, review and document the situation in a legal and safe manner; also the **Indiana State Police** should check for anything outside of the law such as criminal recklessness and recover any evidence.

Jim and Mary Ann Shafer stated it’s very dangerous around their property- they regularly check the roofs for damage. Mr Shafer also complained of the loud noise from the armament.

Mr Armand reminded all they need something hard, concrete proof, but nothing has been filed to shut this business down. The Bells have permission to shoot guns on their six to eight acres; they have the variance to build guns and to test those guns. He doesn’t plan to take this to Court unless ‘we can end up on top’.

Mr Buening stated he is confused at what permissions the **APC and BZA Boards** have given to **Bell Precision**. He asked if there should be a ‘cease and desist’ on the shooting activities for a month to sort this out. Mr Richards suggested let law enforcement do an investigation- follow procedures and report back to the Board of Commissioners in thirty days. **Area Plan Commission Attorney Melissa Sholl** would be who would file a lawsuit, on behalf of the **APC and BZA**. Several in the audience asked what they should do in the mean-time about the noise.

After reviewing the **Decatur County’s Right to Life Request to Use County Facilities** to display memorial crosses on the southwest corner of the Courthouse lawn, Mr Buening moved to approve the display for June 3-4. Mr Nobbe seconded the motion and Mr Richards concurred.

With nothing else to come before the Commissioners, Mr Buening moved to recess, Mr Nobbe seconded and Mr Richards concurred. Meeting recessed.

The next Commissioner meeting will be June 6th, 2016 at 8:00 a.m.

John Richards, President

Attest _____

Date: _____