

Commissioners Meeting

September 6, 2016, 8:00 a.m.

Present: John Richards, Jerome Buening and Rick Nobbe

President John Richards called the meeting to order.

The accounts payable claims and payroll claims were reviewed and approved to be paid.

The August 15st meeting minutes were approved as presented.

Highway Superintendent Mark Mohr presented a letter from **INDOT** requesting an 'unofficial detour route' agreement with the Commissioners. A structure on U.S. Highway 421 is scheduled to be replaced next spring; so **INDOT** will video the 'unofficial detour roads (CR 280 N to CR 100 S and tying back into US Hwy 421)' now and after the new structure is completed for documentation of road damage to determine the amount of reimbursement due Decatur County. Mr Nobbe moved to sign **INDOT'S** unofficial detour agreement letter, Mr Buening seconded and Mr Richards concurred. Mr Mohr, Deputy Auditors Teresa Reiger and Christy Smiley will attend the **Community Crossings Grant meeting in Seymour on September 12th** for financials details/paperwork on Decatur County Highway's thirteen projects recently approved by **INDOT**. Beginning September 12th, for the next four to five weeks, Highway employees' focus will be paving projects throughout the County. On Thursday, September 8th, Mr Mohr will be meeting with **Dave O'Mara** and someone from **INDOT** at Bridge #2 regarding the asphalt overlay not meeting our approval. It's been a year and a half and this issue is on **O'Mara's checklist**. Mr O'Mara has agreed to 'redo' the overlay at no cost to the County; so the meeting is to finalize how **INDOT** and Mr Mohr want the overlay to be done. Mr Mohr has contacted **United Consultants** about some signage at intersections NE 80, Co Rd 400 N, Co Rd 500 E and the south end of Millhousen Rd. He feels the signage is a little 'gray-unclear'. **United** has agreed to review the signage at those intersections at no cost. Mr Mohr reported the 2011 Silverado Highway truck he was driving was hit by another vehicle and has been inspected by the insurance company, so it probably will be 'totaled'. He asked permission to get some quotes on a replacement, maybe a crew cab truck which would be useful when going to meetings to take one vehicle for several people instead of needing two or three vehicles. Commissioners agreed it's a good idea to purchase a crew cab pick-up truck. Mr Mohr has been contacted about closing a couple of alleys and a street adjacent to the **Waynesburg Christian Church**. Closing alleys and streets has been discussed by the Commissioners at several meetings over the last couple of years. Mr Mohr, Commissioners and First Responders believe the County should at least retain right-of-ways for utility easements and easements as needed for road drainage and maintenance. Some County Commissioners require a legal survey be done and recorded to establish the exact location of an alley or street named in a petition to vacate. Commissioners agreed to ask the **Tech Review Committee** to create a policy for vacating a public way (alleys and streets). Drew Young suggested the Sheriff and EMS should be included in any decisions to vacate a public way. The **Tech Review Committee** would review each petition for vacating a public way and make their recommendations to the **Board of Commissioners** who would then approve or deny the petition. Mr Nobbe asked Mr Mohr if he has received any new information concerning the railroad crossings along East State Road 46. Mr Duckworth stated 'crossing gates' would come under a state fund, not from the **CSX Railroad**. The **County Redevelopment Board** had agreed to help fund adding 'crossing gates' for one or two crossings, but **INDOT** didn't have a time when they would come to look at them. One of the Commissioners' concerns is the short distance to the railroad when turning onto Co Rd 700 East from SR 46. If several vehicles are waiting for a train to pass, traffic could be backed up on SR 46 since there isn't a 'deceleration lane' for turning onto Co Rd 700 E. They agreed to contact Randy Frye and Cindy Ziemke, State Representatives, for help with this safety issue. Mr Mohr stated some counties place stop signs, both directions prior to the railroad. Mr Buening asked how to get the Railroad people to remove the vegetation hindering motorists' line of sight approaching a railroad crossing; maybe the school corporations would have some leverage in getting some action.

Area Plan Director Krista Duvall didn't have anything to report for today's meeting.

Southeastern Indiana Regional Planning Commission Special Projects Manager Patty Jackson read and recommended the following bids be accepted for construction and HVAC work for six properties in the **County's Housing Rehab Project**. **Ertel Construction's** bids on: 702 s Ireland St, Greensburg for \$14,406;

2129 E Co Rd 300 S, Greensburg for \$83864; 7476 W Co Rd 95 N, Greensburg for \$13,575 and 1307 N East St, Greensburg for \$26,246. **Jackson Construction's** bids on projects at: 607 E Schott St, Westport for \$16,750 and 505 E North St, Westport for \$21,800. **Stier's Heating and Cooling** two bids: one for 505 E North St, Westport for \$8,902 and 1307 North East St, Greensburg for \$2,211. **Grant's Pro** bid for 4779 W Co Rd 700 S, Greensburg for \$2,211. Ms Jackson stated one project will be 'rebid' due to the bids being pretty high for the work needed done. Mr Nobbe moved to accept the bids received by **SIRPC** for the **Decatur County Rehab** for general construction and HVAC for the six properties, Mr Buening seconded the motion and Mr Richards concurred. Ms Jackson told Commissioners the next round of 'letting' will be for eight houses sometime this October. Currently she needs additional contractors for this **Housing Rehab Project**, so if the Commissioners would know any contractors looking for jobs please contact her.

Main Street Greensburg Director Wendy Blake shared some details on her "**Request for Use of Facilities**" scheduled for September 18th, 2016. **The Fisher 5 Race** was rescheduled from May to September to coordinate with the **Bicentennial Torch Relay Event**. The police escorted runners will be stopping for a ceremony at the **War Memorial (Courthouse)** around 2:30 p.m., then onto **Greensburg City Hall**. Ms Blake has approval from **City Hall** for street closures. **Visitors, Rec and Tourism Director Gary Herbert** said **Tourism** hopes to serve cake and ice cream during this event to celebrate **Indiana's Birthday**. Mr Buening moved to allow **Main Street's** request to use the Courthouse lawn for the **Fisher 5** and events as laid out for September 18th, Mr Nobbe seconded the motion and Mr Richards concurred.

Economic Development Corporation Director Marc Coplon announced the **Sixth Annual Decatur County Greensburg Joint Business Appreciation Day** to be held at the **North Branch Golf Course on Friday, September 23rd starting with lunch at 11:00 a.m.** After Mr Coplon read aloud the proclamation stating our local governments and various groups fully support and assist our community's existing businesses, Mr Nobbe moved to "proclaim Friday, September 23rd, 2016 in Decatur County and the City of Greensburg as the Sixth Annual Business Appreciation Day". Mr Buening agreed by seconding the motion and Mr Richards concurred.

Rob Duckworth explained parts of the proposed contract with **Motorola Solutions Inc** for communications equipment to be placed at two hundred feet up on a radio tower near Black Street and West Co Rd 700 South in the Town of Letts. He shared a 'letter commitment' from **IPSIC. Statewide 911 Funds** will pay for the maintenance on the shelter and the generator as well as costs for LP fuel and electric. Decatur County will maintain site as 'unimproved access'- using an alley which now is all grass. Mr Duckworth presented a "letter of intent" to lease tower space at \$2.00 per foot, \$420 per month for 20 years with an annual 1% rate increase. Mr Nobbe asked Mr Duckworth if he had any concerns about the length of the lease since technology is always changing and would the contract include an 'opt out clause'? **County Attorney Drew Young** stated he wasn't concerned about that. Mr Duckworth stated there is an 'opt out clause' with a 30 day notice. Mr Buening moved to enter into an agreement for the tower lease between Decatur County and **Antenna Farmers LLC**. Mr Nobbe seconded the motion and Mr Richards concurred. Mr Duckworth stated there will be temporary driveway and an easement agreement for construction –placement of a prefab concrete building which will be set by a crane sometime in January 2017. The written access agreement includes if any damage to the existing culvert pipe happens during construction, the County would pay 'the damages' or replacement of that pipe. Mr Nobbe moved to sign partial driveway access for construction, Mr Buening seconded and Mr Richards concurred. Mr Duckworth presented the contract with **Motorola Solutions Inc** for review by the Commissioners. He cited specific sections of the contract for the Commissioners which section 5.2 listed Mr Duckworth as an agent for the Commissioners so he will receive the invoices as well as being the 'shipping address' – receiving of equipment. The **Decatur County Redevelopment Commission** has agreed to fund this contract at \$554,931 which includes a \$17,000 reduction if executed before September 15, 2016. Section 8-19, exhibit B lists the payment schedule: an amended 25% at the signing of the contract; 40% due upon shipment – hopefully in November of this year; 25% due upon installations of the equipment; 5% due upon use and the final 5% due upon final acceptance of the installed equipment- hopefully not later than March 30, 2017. Mr Buening moved to enter into this agreement with **Motorola Solutions Inc**, Mr Nobbe seconded and Mr Richards concurred. Mr Duckworth commented the 'letter of intent' with the **Antenna Farmers LLC** was to give them time to remove any old antennas and cabling for possible 'weight restrictions' on the antenna. He hopes to be 'on the air' by March 1, 2017 and adding another frequency channel for Greensburg, helping with redundancy for Decatur County.

A proposal submitted by Lisa Tressler of **RBSK Partners** to be a resource for the Auditor's Office for information/guidance on the **Federal Final Overtime Rule for Employees** and the **Affordable Healthcare Act**. Each Dept Head and Elected Official was asked to 'classify' their employees as non-exempt (eligible for overtime or exempt-not eligible for overtime). Three County employees are still annually appointed by the Commissioners: Highway Superintendent, Assistant Highway Superintendent and Building Commission Kenny Buening. Auditor Chadwell asked the Commissioners if they would consider making these three positions 'county employees' to be included in the County Salary Ordinance for classification of employees. Mr Buening moved to make these three positions a hiring position, employable position and these gentlemen remain in their positions effective immediately. Mr Nobbe seconded the motion and Mr Richards concurred.

Commissioners decided to table the proposal submitted by Ms Tressler at this time.

Indiana Board of Animal Health sent a letter to the Commissioners requesting \$2,560 for immediate inspection of three farms in northern **Dearborn County** due to an infection in **Franklin County**. The letter doesn't name **Decatur County**, so the Commissioners wonder if there's a 'typo'. Mr Young will contact the **ISAH** for clarification. Mr Buening moved to sign the agreement upon clarification, Mr Nobbe seconded and Mr Richards concurred.

Tourism Director Gary Herbert told the Commissioners the **Visit Decatur County Inc is still intact**. **VDCI** still have some 'obligations' and Bill Smith sees some advantages in keeping the **VDCI** in doing what's best for tourism. **VDCI** still has around \$150,000 in their bank account, which in part is paying for a contract with **Bohman CPA** through December 31, 2016 and also Mr Herbert's part-time secretary.

Mr Nobbe presented two invoices: from **Burke Engineering** for the County's share (\$5,164.56) for the testing reports on the **City Park Dam**; the second invoice (\$2,060) from **Bruns & Gutzwiller** for repairing the plaster in the east tower entrance.

Mr Buening will be meeting with a group (**Matt Eckerle, H J Umbaugh & Associates; Rick Hall, Barnes & Thornburg; Council members Ernie Gauck, Larry Meyers and Bill Metz; County Attorney Drew Young; Deputy Auditor Christy Smiley and Auditor Janet Chadwell**) at 4:00 pm on September 6th, to take the next step to repair the Courthouse exterior which is to decide how to fund the \$1.5 million project.

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

The next Commissioner meeting will be September 19th, 2016 at 8:00 a.m.

John Richards, President

Attest _____

Date: _____

