

## Commissioners Meeting

May 15, 2017, 8:00 a.m.

**Present: Rick Nobbe, Jerome Buening and Mark Koors**

**President Nobbe** called the May 15<sup>th</sup> 2017 Board of Commissioners meeting to order.

The accounts payable and payroll claims were reviewed. Mr Koors moved to approve all claims, Mr Buening seconded and Mr Nobbe concurred. Mr Nobbe explained there were no minutes to review for April 17<sup>th</sup>, 2017 so in the June 5<sup>th</sup>, 2017 meeting there will be sets of minutes to review.

**Highway Superintendent Mark Mohr** told the commissioners that there is a meeting in Seymour June 1<sup>st</sup>, 2017 at INDOT for information about the Community Crossing Grant. He will be attending along with Tim Ortman, Rick Nobbe, and someone from the auditor's office. Mr Mohr said we will be in a 25%/75% match. Mr Mohr told the commissioners that the highway is closing a structure on 300 N, east of 700 W for a bridge replacement. This closing should be a 3 weeks period. He also gave the commissioners a statement with an application for the adopt-a-highway. Mr Bass thought the application looked fine and they will possibly adopt the next meeting. Mr Mohr discussed a possible re-allocation of the highway department around the Arbor Grove Facility. Mr. Koors has spoken to Arbor Grove and they seem interested and are willing to look at offer. Mr Mohr presented a drawing giving information of the lay of the land of the parcel including right-a-ways. Mr Buening asked if there was a question of ownership to the south and Mr. Mohr believes that has to do with INDOT. Mr Buening stated that TIF wouldn't be able to purchase property but could fund improvements. Mr Nobbe asked if the highway would do upkeep on both properties. Mr. Mohr said ultimately Base Road could be gone. Commissioners thought they should move forward and see what becomes of it. Arbor Grove entrance would be an easement through the highway. Mr Mohr asked if legal council could go through proper channels to see what can be done. Mr Bass asked for a legal description of the property. Mr. Nobbe said more discussion would take place next meeting.

There was a discussion of either rolling over Omara paving bids or taking new bids. Mr. Buening moved to rollover bids, 2<sup>nd</sup> by Mr Koors and Mr Nobbe concurred.

Steve Herbert on behalf of and in honor of his father Marvin Herbert presented a donation to the Decatur County Animal Shelter.

Krista Duvall from Area Plan brought 4 ordinances before the commissioners for approval. 2017-6 Rossburg Cemetary rezone from A-1 to A-2, Mr Koors moved to approve, Mr Buening 2<sup>nd</sup>, and Mr Nobbe concurred. 2017-7 Springmeyer rezone from A-1 to A-2, Mr Buening moved to approve, Mr Koors 2<sup>nd</sup>, and Mr Nobbe concurred. 2017-10 Coomey Rezone A-1 to A-2 Mr Koors moved, Mr Buening 2<sup>nd</sup>, and Mr Nobbe concurred. 2017-11 Authentic Properties rezone A-1 to A-2, Mr Buening moved to approved, Mr Koors seconded, and Mr Nobbe concurred.

Rob Duckworth came to the commissioners for the Homeland Security Grant. The grant is able to purchase a 60 KW generator for \$2500.00. Grant money will be used to install the generator. It will be a permanent rather than a stand by. Mr Duckworth asked the commissioners for funding to pay \$2500 to purchase it. Mr Nobbe said the purchase can be made by county cumulative cap. Mr Buening moved to pay from county cumulative cap, Mr Koors 2<sup>nd</sup> and Mr Nobbe concurred.

Mr Duckworth also distributed a packet to the commissioners for Motorola Solutions. Letts Fire Department will lease land for tower for \$1000/annually which will be paid for from Statewide 911. Funding for installing the tower will come from TIF for \$70,000 and \$30,000 from Statewide 911. This leaves \$56,000 left to pay from either financing from Motorola or from the reserve from Statewide 911. Mr Duckworth is going to talk to council about the rest of the expenditure. Mr Duckworth asked for approval to keep the project moving, getting the tower constructed, and the tower on line. Mr Nobbe asked for a motion to approve. Mr Koors moved to approve, Mr Buening 2<sup>nd</sup> and Mr Nobbe concurred. Lastly Mr Duckworth asked the commissioners to accept a formal letter of resignation as EMA Director effective February 2018. Mr Duckworth shared with them the good that has been done by the EMA. Mr Nobbe collectively said thank you for everything that Mr Duckworth has done and it has been a pleasure to work with him. Mr Buening noted that there has been weaknesses exposed due to the tornado in 2011 that made everyone see something better needed to be in place and he felt they were fortunate to

have Mr. Duckworth in place to take over from there and he has done a fabulous job. Mr Duckworth said that he was not the only one to be commended. He felt that Sheriff Allen saw the greater good of giving Mr Duckworth the time to do this job.

James Zellerman from Honeywell spoke with the commissioners about doing an infrastructure audit on the courthouse. The audit only determines if a larger audit needs to be done and it is cost free. Mr Koors motioned to approve, Mr. Buening 2<sup>nd</sup>, and Mr Nobbe Concurred.

Ms Duvall asked the commissions to approve the 2016 Decatur County Comprehensive Plan 2017-12. The plan was approved by the Area Plan Board. Mr Koors moved to approve, Mr Buening 2<sup>nd</sup> and Mr Nobbe concurred.

Judge Bailey asked the commissioners to approve Dustin Schwyn to fill mental health seat & Brent Abplanalp to fill at large seat on the Community Corrections Advisory Board to serve out existing terms only. Mr Buening moved to approve, Mr Koors 2<sup>nd</sup> and Mr Nobbe concurred.

Mr Bass drew up a contract for Mr Gary Reese to cut down and remove large oak tree on Lot 1 at Lake McCoy. A harmless clause was added to contract as well as wording that this is not any ownership for the property by Mr Reese. Mr Buening moved to accept the contract, Mr Koors 2<sup>nd</sup>, and Mr Nobbe concurred.

Joel Denninger spoke to the commissioners about the increase on the property tax bills due to the conservancy district tax rate rise. He said the people who were supposed to be submitting a budget for the conservancy haven't done so in years. He was concerned that years ago there was over \$100,000 and now there is only about \$9,000.00 to pay the bond. His concern is that after he spoke with the State Board of Accounts he has to wonder if people are paying the conservancy where is the money. Mr Nobbe explained that the conservancy is its own entity. The treasurer's office collects that money and then returns it to the conservancy district for them to pay their bills or their obligations. Mr Nobbe said he had received some phone calls from tax payers about the rise in the tax bills but he felt that the county is not responsible to come up with a solution for it and Mr Bass concurred. Mr Bass said the 3 member board that was set in 1991 was in charge. Mr Denninger asked if his main option was to go to the State Board of Accounts and Mr Bass agreed. Mr Denninger was concerned that he thought his name was on the books as being legally sworn in at the courthouse as being on the board. His fear is if he still in charge. Mr Bass said he needs to contact State Board of Accounts and go from there. Christy Smiley told Mr Denninger that audits for the conservancy by the State Board of Accounts are available at the Auditor's Office.

Richard Friend and Cathy Taylor addressed the commissioners about a tree on county property that had fallen on their car. After researching Ms Taylor found that the tree line was on county property. She feels the trees are mature and rotten. She said that they wanted to attend a commissioners meeting previously to ask the commissioners if the land could be vacated so they could remove the trees and were told the commissioner meetings were not for the public. They received a letter a week later stating the county was not going to vacate the property and they would not remove the trees. Duke energy also said they would do nothing. Ms Taylor said that now she has no transpiration, home owners insurance is not going to cover it and the car insurance will not cover it and that it comes down to "Failure to maintain property." Mark Mohr said anything the county owns they would take down. Mr Friend said the line of trees is on county property. Mr Friend gave permission for the county highway department to come on his property to cut down trees on county property. If any trees involved power lines they would contact Duke. Mr Friend said he wants to trees taken down immediately. Mr Mohr said he would start making the phone calls. Mr Friend then said he needs reimbursed for the car that was damaged. Mr Bass said there had been a tort claim turned in and Mrs Smiley it has been done. Ms Friend asked how long it would take for the claim to go through and Mr Bass said he could not answer that but the liability carrier should be contacting her.

Prosecutor Harter had previously presented the commissioners with a letter from the judges and himself asking if space in probation offices could be utilized by criminal justice after there are vacant. Mr Harter wanted to know if action could be taken on the letter so they can move forward and start making plans. Mr Nobbe stated the clerk's office is wanting some space as well and asked Mr Harter to get with Clerk Roberts to see what they can both agree on and they could address it the next meeting.

Mr Nobbe went over a use of facility for Mr Meyerrose to use courthouse property. Mr Buening moved to approve, Mr Koors 2<sup>nd</sup>, and Mr Nobbe concurred.

Kenny Buening reported he had 40+ inspections in the last 3 weeks, 14 permits in May, ½ a dozen complaints addressed and 2 red tags for no building permits.

The next Commissioners' meeting will be June 5<sup>th</sup>, 2017 at 8:00 a.m.

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Richard J Nobbe, President

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Attest \_\_\_\_\_

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