

Commissioners Meeting
April 18, 2022 8:00 a m

Present: Mark Koors, Jerome Buening and Chuck Emsweller

President Koors welcomed everyone to the Decatur County Commissioners' April 18th meeting; he then announced Title VI forms are available for anyone who would like to fill out and turn in at the Auditor's office.

The Pledge of Allegiance to the Flag was led by Mr Koors; Dave Durant then offered a prayer.

(Meeting minutes, payroll and claims are emailed to each Commissioners, each Thursday before their Monday meeting)

Mr Buening moved to approve the April 4th minutes, Mr Emsweller seconded and Mr Koors concurred. Mr Emsweller moved to approve the April 5th and April 13th minutes for those Executive Sessions, Mr Buening seconded and Mr Koors concurred.

Mr Buening moved to approve claims, Mr Emsweller seconded the motion and Mr Koors concurred.

Mr Emsweller moved to approve the April 15th payroll claims, Mr Buening seconded and Mr Koors concurred.

Mark Mohr, Highway Superintendent, told Commissioners **INDOT's** bridge replacement on US Highway 421 South is expected to be a 3-month project with County Roads 550 East and 400 South as unofficial detour in Decatur County. Another **INDOT** project near **Napoleon** will route traffic onto County Road 700 East to State Road 46. **Contractor JM Ballard** is putting up the scaffolding at the Westport Covered Bridge to repair last June's storm/flood damage. County Road 800 East is closed waiting for 2 – 72-inch pipes arrive to replace a bridge abutment. Right-of-way has finally been secured for a big pipe project on County Road 450 South just off of County Road 700 West. A Fall project on County Road 1100 will involve a lot of utility work.

Area Plan Director Krista Duvall present **Ordinance 2021-9, property owned by Robert and Lila Ogle Revocable Trust and petitioned by Joseph White**, rezoning 2.99 acres from A-1 to A-2 to build a single family detached dwelling. All members present on the **Area Plan Commission** voted yes. Mr Emsweller moved to approve **Ordinance 2021-9**, Mr Buening seconded and Mr Koors concurred. **Ordinance 2022-6, property owned by L & P LLC, Stephen Pavy and Darryl Wolterman, petitioned by Mr Wolterman** to rezone .5 acres from B-2 to B-3 for auto sales. All APC members present voted yes. Mr Emsweller moved to approved Ordinance 2022-6, Mr Buening seconded and Mr Koors concurred. **Ordinance 2022-7, property owned by Tim Callahan, petitioned by Robin Carmer** to rezone 3.337 acres from A-1/A-2 to B-2 for the purpose of a make a building ready for a business: farmer's market with home décor and meat & cheese along with hand dipped ice cream. Neighbor Bill Fenley told Commissioners he's more worried about the next business at that location, which could be a liquor store or a pot store; also, to access Ms Carmer's business, one has to turn on a curve on State Road 46 West, onto County Road 300 South, which is a passing zone on SR 46. Mr Fenley asked Commissioners to approve the rezoning only for this petitioner and if the property sells, the zoning reverts back to residential. Ms Duvall stated currently this is not an option since the ordinance doesn't address that and that also would be 'spot zoning'. Roger Fenley, neighbor, asked how this property went from selling flowers to a business. After some discussion, Mr Buening moved to send this back to the **APC** with the information from today's meeting, Mr Emsweller seconded and Mr Koors concurred. Ms Duval presented **Decatur County Ordinance 2022-6** which designates **Decatur County as a Broadband Ready Community**. Rick Nobbe asked Commissioners to appoint the Area Plan Office as the 'point of contact' for communications service providers or utility providers. This ordinance states there are no fees to review an application or issue a permit, not to include towers. Mr Emsweller moved to adopt Decatur County Ordinance 2022-6, Mr Buening seconded the motion and Mr Koors concurred.

Emila Redelman came before the Commissioners to discuss the multiple complaints about her **"Redelman's Deals on Wheels LLC"** property, 7745 E St Rd 46. Commissioners and the Area Plan Office have received numerous phone calls about vehicles too close to the highway and on the railroad's

right-of-way, selling car parts and **INDOT** is complaining about the mud from the property on the highway. The property is zoned, **B-3 Body Shop and/or Repair Shop**. Commissioners told Ms Redelman she needs to stay on her side of the concrete markers for the highway and railroad. Ms Redelman plans to tile the property, add gravel and plant trees. One complaint is she's selling car parts like a junkyard, which Ms Redelman says she is not. Ms Duval's concern is the affidavit for 1.19 acres east of 'body shop', also owned by Ms Redelman, doesn't state what's going in there: maybe doing other things, not just selling cars? Selling used vehicles to other dealers? Another of Ms Duval's concerns is the condition of the vehicles, leaking oil and antifreeze- where does that go? Ms Redelman stated she is working to be compliant with **IDEM**. Commissioners gave Ms Redelman 60 days to get the 7745 E SR 46 property in order and get some stone down. Mr Koors told Ms Redelman he and Building Inspector Kenny Buening will visit her on June 18th to check the state of that property.

Jim Ponsler, Jamie and Melissa Brown requested 'use of the Fairgrounds' on June 18th, rain date June 25, for the **4th Year Benefit Race for Caleb's Cause**, with Commissioners 'donation' of the track (no rental fees) which includes the grandstands, track and parking. Proceeds support the **Special Olympics/Olympians**. The event begins at 8:00 am and usually concludes around 2:00 am the following morning. They will need to submit the Certificate of Liability Insurance before the event. Mr Buening moved to approve this request, Mr Emsweller seconded and Mr Koors concurred.

In the last 2 weeks, **Building Inspector Kenny Buening** has completed 30 building inspections, issued 15 new building permits and plan reviews and issued 2 red tags - one for exposed wires not going through the top plate for outside lights and a remodel on a burnt house- buyer wasn't aware it was condemned and slated for demolition by the **Town of Westport**. **County Recorder Dottie Robbins** said condemnations are not recorded by title companies do not 'see' that information.

Mr Buening moved to approve the sale of the Health Building, 801 N Lincoln St, to the Decatur County Memorial Hospital, Mr Emsweller seconded the motion and Mr Koors concurred. DCMH offered \$650,000 to purchase the property which is above the appraisal price; the generator is not included in the sale and will be moved as soon as possible.

Commissioners received 2 resumes for the position of Fairgrounds Manager.

Mr Buening moved to transfer \$700,000 left of the CARES Act monies to the Cumulative Capital Development Fund, Mr Emsweller seconded and Mr Koors concurred. A check for \$150,000 will be issued to the **Decatur County Community Foundation** as seed money for a new Community Building at the Decatur County Fairgrounds.

Commissioners okayed Mrs Robbins request that Deputy Recorder Linda Hellmich may earned PTO if she cannot close the office during business hours while Mrs Robbins and Deputy Denise Zeigler attend the State Called Recorder's Conference in Indianapolis.

IT Network Engineer Josh Tressler and Assistant David Henderson shared a cyber security training initiative awareness for county employees- 34% have completed phase 1 with 10% entering data on the phishing site and 18% clicked on actual phishing email. Mr Tressler said more employees are contacting them asking about certain received emails, so employees are starting to pick up on these things. This is a 3-year campaign. Mr Emsweller commended Mr Tressler and Mr Henderson on setting up this training.

Rick Anderson of Veregy (formerly Johnson Mellon Solutions) will talk with Commissioners later since he was not on their agenda.

Mr Koors announced the **Fair Committee** members are Scott Best, Bill Metz and Danny Peters, Barb Waechter, Kevin Crites, Jim Ponsler and Chris Fogle representing 4-H. Commissioners appreciate their willing to help/serve.

The **Salary Committee** has begun interviewing office heads and will continue next week.

Economic Development Commission Executive Director Bryan Robbins thanked Commissioners for their support of the Broadband initiative. The State will be coming down to meet with the **READI Group** on a few of their projects.

The Commissioners next meeting will be May 2nd, 2022 at 8:00 a.m.

With nothing else to come before the Commissioners, Mr Buening moved to recess, Mr Emsweller seconded and Mr. Koors seconded. Meeting recessed.

Attest: _____

Date: _____