

**Commissioners Meeting
June 21, 2021 8:00 a m**

Present: Mark Koors, Jerome Buening and Chuck Emsweller

President Koors opened the June 21st Commissioners meeting by welcoming everyone; he then announced Title VI forms are available for anyone who would like to fill out and turn in at the Auditor's office.

Jail Commander Dana Parker led the Pledge of Allegiance to the Flag; Reverend Steve Bell then offered a prayer.

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

Mr Buening moved to accept the June 7th meeting minutes, Mr Emsweller seconded and Mr Koors concurred. Minutes are approved.

Mr Emsweller moved to accept the claims, Mr Buening seconded and Mr Koors concurred. Claims are approved.

Highway Superintendent Mark Mohr told Commissioners the bid by **Dave O'Mara Contractor**, for Bridge 239, is \$80,000 over **USI's** estimates which were stated 1 ½ years ago. Mr Mohr will ask County Council for an additional of \$80,000 at their July meeting. Mr Emsweller moved to award the \$439,467.50 contract to **O'Mara**, Mr Buening seconded and Mr Koors concurred. The contract with Dave O'Mara Contractor will be sent to **INDOT** for the **2021-1 Community Crossings Grant Des# 2100349**; **INDOT** will calculate the 25% for Decatur County's portion of the grant. Mr Koors signed the contract signature page and Form 96. Commissioners signed an agreement with **USI** to complete the study on Bridge 131, not to exceed \$5,000. Mr Emsweller moved to assign Mr Mohr, as a representative for the County, to electronically sign documents through **INDOT** via "doc sign". Mr Buening seconded the motion and Mr Koors concurred. The **Westport Covered Bridge** is closed due to storm/flood damage on June 18th – 19th. **United** will check/inspect the Covered Bridge for damage; it should be repairable. Highway crews were lucky as the concrete had been poured prior to the weekend rain for a bridge on County Road 400 South.

Area Plan Director Krista Duvall presented 3 ordinances for the Commissioners' review: **Ordinance 2021-2**, petitioner **Matthew Stone** is buying property from the Bruns Legacy and is requesting to rezone 2.99 acres from A1 to A2 in order to build a single family detached dwelling. The **APC** unanimously approved this request. Mr Buening moved to approve Ordinance 2021-2, Mr Emsweller seconded and Mr Koors concurred. **Ordinance 2021-14**, petitioner **Bruce Bedel** is buying property from William Wenning and is requesting to rezone 2.99 acres from A1 to A2. The **APC** unanimously approved this request. Mr Emsweller moved to approve Ordinance 2021-14, Mr Buening seconded and Mr Koors concurred. **Ordinance 2021-16 is an administrative request** due to a Title Company working on properties- farm fields- owned by Rollin and Deana Giles and Joseph and Jacqueline Swegman at **Letts Corner**. Ms Duvall explained these properties include platted lots and also 'meets and bounds' legal descriptions. She is requesting the lots be unplatted, the streets be vacated and the plat be amended, which will start a cleanup process with the legal description. The **APC** unanimously approved this request. Mr Buening moved to approve Ordinance 2021-16, Mr Emsweller seconded and Mr Koors concurred. Mr Koors asked Ms Duvall about the time frame is between the APC approving rezoning ordinances and the time she presents those ordinances to the Commissioners. She said Surveyors have a backlog due to last year's COVID restrictions.

Building Inspector Kenny Buening completed 41 building inspections, issued 17 new building permits plus plan reviews and 3 red tags were issued- 2 no building permits and an upgrade to a meter base. **County Attorney Ken Bass**, working with Kenny, is waiting for Cody Reece to respond to the May 23rd legal publication in the newspaper on the County's lawsuit regarding the unsafe partially burnt building on his property at Lake McCoy. Mr Bass will file a motion for Hearing and asked Commissioners what they want to do with the property as at some point Judge Day will ask. Deputy Auditor Rhonda Heger told Commissioners this property probably will not be put on the County's Tax Sale. Commissioners will go look at the property and will let Mr Bass know.

County Sheriff Dave Durant is required to present a **Bi-Annual Commissary Report** to the County Council; he also wanted to share it with the Commissioners. Purchases from the Commissary Fund include a zero-turn lawn mower, 2020 Ram truck, bullet-proof vests, the salary for his new maintenance person, new equipment for new vehicles, Spillman software, the 'code ID wristbands' for dispensing medicines and a 'money counter'

essentially used for cash bond payments. He credits his Jail Commander Dana Parker working with Administrative Assistant Ashley Wilson in using this fund thereby saving County General about \$225,000 a year. At their next meeting, he will be asking Commissioners for \$29,000 out of the Cumulative Capital Development Fund to replace a car for Sheriff Deputy Pat Graue.

The Commissioners, at their June 7th meeting, had approved **Shari Brancamp's Request for Use of Facilities** to set up a craft fair on Friday afternoons. This morning Ms Brancamp told Commissioners **Tonya Downey and Amber Coyne**, with **Main Street Greensburg**, are trying to revoke her RUF saying she is compromising the integrity of the **Farmers Market**. Ms Coyne said vendors participating in the Farmers Market pay a rental fee for an assigned space and since Ms Brancamp's set her craft fair up separate, she isn't paying for the space she's using. According to Ms Coyne the rental fees are used as a fund raiser. Commissioners do not charge anyone requesting to use the Courthouse facilities. Anyone granted permission to use the Courthouse lawn is required to present a *Certificate of Liability for \$1,000,000*; which Ms Brancamp tried to give Kenny Buening (Building Inspector) who didn't accept it. She admitted she didn't know she should have submitted it to the Auditor's office. Ms Brancamp told the Commissioners it's not fair for Market Master Ms Coyne to harass and bully her. Mr Emsweller said Commissioners approved Ms Brancamp's RUF with the understanding she was supposed to work with the Main Street Greensburg group. The Farmers Market offers crafts on the 4th Friday of each month and Ms Brancamp was invited to apply for those days by Main Street Greensburg and would be charged a booth fee. Ms Brancamp wants to setup/ sell every Friday and has invited local 'craft' people to join her; Saturdays do not work for some of these people. Mr Koors questioned Ms Brancamp's Certificate of Liability and Mr Bass quickly reviewed it saying it only covered Ms Brancamp and not additional people joining her booth/space. Local resident Debbie Martin told Commissioners she was considering joining Ms Brancamp to sell her homemade cards and she did witness aggressiveness from one of the Main Street ladies. Mrs Martin also asked Commissioners to give Ms Brancamp an opportunity to get her insurance straightened out. Mr Bass requested clarification from Ms Brancamp's insurance company if it is an "umbrella policy" which would cover those sharing her booth/space. Mr Koors said Ms Brancamp should submit a new Request for Use of Facilities, follow the rules and get along.

Mr Buening moved to approve the **Letter of Engagement with Micro Air** to do/complete the air (asbestos) – lead paint study at the old jail. Mr Emsweller seconded the motion and Mr Koors concurred.

Steven Ruble with Strand Associates presented a proposal/agreement to provide services to 'get the old jail down'. Strand will charge the Commissioners \$21,000 to 'get the contractor under contract'; including developing documents to solicit bidders/quotes. Mr Ruble assured Commissioners there will not be any adjustment to this amount on July 1st as stated in the proposal. He's hoping to take bids late this Fall. The COVID testing clinic held at the old jail should end June 30th; then Sheriff personnel can review the documents in the 25 file cabinets left at the old jail. Mr Buening moved to enter into this contract with Strand, Mr Emsweller seconded and Mr Koors concurred.

Mr Koors announced **Rush County, the City of Rushville, the City of Batesville, Shelby County, the City of Shelbyville, the City of Greensburg and Decatur County** have agreed to form a group which will apply for a **Regional Grant** with the goal of applying for the **Ready Grant** offered by the **State**. **HWC Engineering** will be the grant writer and approximately \$33,000 of the HWC's fee will be shared by Greensburg and Decatur County and will go through **EDC's Director Bryan Robbins**. Also, this group will need to 'come up' with \$50 million dollars as match money, but doesn't have to be all cash; it may be 'in current projects or projects in the pipeline'. This is a \$150 million dollar deal. The "intent to file an application" is due July 1st and the official application is due August 1st.

Visitors, Recreation and Tourism Director Philip Deiwert told Commissioners on July 13th **Tree Centric Solutions** will inspect the white mulberry tree on the Courthouse Tower to assess the tree's health and to install a 'line to feed' nutrients/supplements to it. Mr Deiwert also asked Commissioners if they should revoke Ms Brancamp's RUF? He wants to make sure she doesn't come back this Friday, June 25th. He also informed Mr Bass the issue of a business not paying the required Innkeepers Tax has been resolved; the new owners have been paying to the **Department of Revenue** who disperses the funds to the County Treasurer. Mr Deiwert said it's all good now.

County Treasurer Diane Wenning had requested an area of wall in her office be repaired and painted. **Enneking Painting** had submitted a proposal for \$2,256; bid would be reduced by \$440 if only one coat of paint is needed. Mr Emsweller moved to accept the proposal, Mr Buening seconded and Mr Koors concurred.

In a previous meeting, Commissioners agreed to 'accept the settlement agreement' reached with **SIHO** from **73C01-1607-CT-000030**. Mr Koors signed the agreement and Mr Bass will deliver it to former County Attorney Drew Young who initiated the lawsuit in 2016.

Mr Emsweller moved to approve **Resolution 2021-11**, Mr Buening seconded and Mr Koors concurred. This resolution establishes the Regional Ready Grant discussed earlier in this meeting. This Resolution was renumbered to be 2021-10 after finding the original document to be signed.

Mr Buening moved to rescind Shari Brancamp's Request for Use of Facilities, Mr Emsweller seconded and Mr Koors concurred.

Mr Koors thanked all for coming to this morning's meeting.

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

The next Commissioner meeting will be 8:00 am on Tuesday, July 6th, 2021, in Room 106.

Attest: _____

Date: _____