

**Decatur County Area Plan Commission**  
**June Minutes 2019**  
**1<sup>st</sup> Floor Meeting Room of Decatur County Courthouse**

The regular scheduled meeting for the Decatur County Area Plan Commission was called to order by Jay Hatton at 7:00 p.m. on Wednesday, June 5, 2019. There were 8 board members present with Bill Dieckman absent. Also attending was Melissa Scholl – APC Attorney, Krista Duvall – Decatur County Area Plan Director, Debbie Martin – Administrative Assistant and Rick Nobbe – Decatur County Commissioner.

Jay Hatton opened the meeting and read the following: *To comply with Title VI of the Civil Rights Act of 1964, Decatur County requests that participants in this meeting complete a voluntary, anonymous survey that is available on the table in the back of the room.*

A copy of the meeting agenda and the attendance registrar is attached to these minutes and incorporated by reference. By consensus, the APC Board approved the minutes for the meeting on May 1, 2019 as written and mailed.

\* **APC Petition 2019-9 – Billy Wilmer** is petitioning to “Sub-divide” approximately 17 acres out of and to “**Rezone**” approximately 2.99 acres from an A-1 zoning classification to an A-2 zoning classification for construction of a single family detached dwelling. This requests falls under the Decatur County Ordinance **Section #920 (7) & #915**. The property is owned by Gelfius Land LLC and is located just south of 4013 S CR 850 W, Greensburg in **Clay Township**.

Andy Scholle abstained from hearing and voting on this petition.

Billy Wilmer stated that he wants to build a home and pond. We are not taking any farm ground out of production, there is a little pasture for a couple of beef cattle and mini farm. **Jay;** as this board may or may not know, there was a pond approved in that little area that bootlegs up and where the X is he would like to put a home. The setbacks are all adequate. **Billy;** the primary and secondary septic have been approved. **Jay;** is there water on the property? **Billy;** yes. **Jay;** and the driveway will go where? **Billy;** on the west side and will line up along the building and then go straight south. **Jay;** so it will go right next to the smaller building there. **Billy,** run straight south up to the house, it will sit on the hillside along the tree line and we will have a walk out basement. **Ryan;** how does the farmer access his field? **Billy;** there is a drive to the north between the small building and the larger Morton building, that is where he will access it. **Krista;** Ryan, we neglected to draw in another line, Gelfius will have about 50’ in order to get back to farm that field. **Ryan;** that was my only concern was that it was adequate, if both houses sell off as to how they would maintain that. **Paul;** being 50’ the Gelfius family will remain ownership of that 50’. **Melissa;** the other little house is not owned by the same people who own the big parcel. **Paul;** everyone will have access to the road with ownership of property. **Jay;** to make it clear, in the BZA meeting prior to this, the yellow line that you see on the map coming from 850, there will be 50’ wide that Gelfius will have as our minimum requirement. Mr.

Wilmer will be putting a second gravel drive right beside it, then Mr. Gelfius will use his drive to access his farm. **Paul;** it looks like you have done your due diligence.

With no other questions from the Board or the audience Paul Stone made a motion to vote on APC 2019-9, Todd Mauer seconded the motion. With Andy Scholle abstaining the remaining 7 members present voted yes. **Jay;** stay in contact with the office. Billy stated that the county is lucky to have these two ladies in the office. If it wasn't for them I would have had a hard time getting through all of this and making sure it was right.

**\* APC Petition 2019-10 – Westport Lodge #52 F & AM / Victor Watts** is petitioning to “**Re-zone**” approximately 1 acre in an A-1 zoning classification to a B-2 zoning classification to build a new lodge. This request falls under the Decatur County Ordinance **Section #1125**. The property is owned by the petitioner and is located just north of 1017 N State Road 3, Westport, in **Sand Creek Township**.

Toby VanNatta represented the lodge and stated that they want to build a new lodge, the old building is hard to get to and in and out of. **Paul;** was your driveway approved by the state? **Toby;** yes, it's all a green light, we will be hooking up to city sewer and water. **Jay;** so just a building and parking lot? **Toby;** yes. **Jay;** will there be a sign? **Toby;** probably not, we haven't gotten that far yet. **Jay;** you will have to stay in contact with Krista on a sign. **Ryan;** will they need a permit if the sign is on the building? **Krista;** yes they will, a sign is a sign. **Jay;** what is the building going to be made out of? **Toby;** we are thinking about a pole structure, metal on all sides with concrete floor. **Jay;** brick on outside? **Toby;** no. **Ryan;** will it be rented out for events? **Toby;** no sir, strictly a lodge for our activities. **Jay;** how long has the lodge been in existence? **Toby;** I couldn't tell you, it's a lower number lodge, not sure how many is in the state. **Jay;** what is your membership? **Toby;** about 100, close to 30 active. **Jay;** what is the goal of the lodge? **Toby;** to make a good man a lot better man, especially young kids. We are all Shriners, we have scholarships that we give in the state and we, locally have a local scholarship that we give. **Jay;** I don't hear a lot about it, just want to learn. **Jay;** so when you change the use of this ground from agriculture to some sort of paved parking..... **Toby;** it might just be gravel. **Jay;** tell me about the surface drainage, which way will it go? **Toby;** it will run to the south, down towards the road and then into the ditch running south. **Jay;** south will go to the neighbor? **Paul;** does it drain to the road ditch and then down to the south, or do you mean it sheet drains to the south? **Toby;** yes, to the road ditch and then south. **Jay;** and that is adequate for that lot? **Toby;** I would hope so. **Jay;** we are always concerned about drainage, when the use of the ground is changed, then people wonder where all that extra water comes from. **Paul;** give me an idea where the parking lot will be, will it be the majority of the lot? **Toby;** oh no, probably not even half of that, the rest will be grass and yard.

With no other questions from the Board or the audience Ryan Kennelly made a motion to vote on APC 2019-10; Jeff Hermes seconded with all 8 members present voting yes. **Jay;** Keep in touch with the office and we wish you all the luck.

Krista stated that with the July meeting would fall on the night that Greensburg has fireworks for July 4<sup>th</sup>, asked to move the meeting to Tuesday, July 2, 2019 to keep it away from the holiday. It was agreed that we would have the meeting on Tuesday, July 2, 2019.

## Other Business

Rick Nobbe, Decatur County Commissioner addressed the board, you had mentioned that drainage was a concern, at the Commissioner meeting on Monday, our hope, with Krista's help and this board as well, to develop a Drainage Board. As properties get bigger and fences go away, there are always issues, we have probably half a dozen we are working on now. I think it's important, we have some ordinances there to address those issues but we fall short in the ability to enforce. I think it would be great to address the drainage issues before things come before you, like here tonight. **Ryan;** how do we as a board know that the drainage is adequate. What does the builder or developer need to submit that we know that it is acceptable. For us to look at it, we cannot look at a site and determine that it will or will not be ok. There has to be some types of steps in place. There should be a hydrologist that approves that. **Melissa;** the burden is on the property owner, it's a State law, you cannot put water on your neighbor. If you have a property that is potentially going to cause situations, it should be the property owner who should get the property reports to know what they need to do ahead of time, what Rick is talking about typically happens is that the problems are caused and then need to be fixed. You can get to various offices and gather information, but you are right, without a report, and a lot of projects don't require that but if they are larger or going to have a lot of hard surface area or the nature of the topography, you won't know until the report is conducted. Then you will have to remediate that. The water board would have the ability through the Tech Review Committee, if a project looks like it was going to have issues then the water board can look at it further and let the property owner know that they will have to provide some documentation that it will not be an issue. **Ryan;** Tom, are you still on the City? I know the City has adopted an ordinance that any commercial building has to be paved and not gravel, which creates more drainage, how is the City handling this? **Tom;** you have to have a report from a hydrologist making sure that you are not putting more water out than is already there. Our big thing now is not only looking at the pavement, but what requires curbing. We have some commercial properties that have curbing and some that don't and now we are looking at what will be the curbing requirements on paved parking lots. You have to have the hydrologist report before it will be platted, then do the plat review. **Jay;** do you have an outline Rick of enforcement from this board or is this going to be a sub-committee for the Commissioners to have final say on this or how is that going to work? **Rick;** I don't know how it is going to look at this time, what I would like to be able to do is go to the County Council, they will be working on their budgets in July, and request a certain amount of funding that might allow us to do some research, we don't want to make a mistake or rush into it but we do need to take steps to get it going. We've got things going on in the county now that somebody will widen a ditch and then that puts water on the next guy faster than they think it will. We don't hear about those until they completed, generally, and then someone spent tens of thousands of dollars on their project. We don't want to make it cumbersome but we want the opportunity to have a group who can make decisions about these issues. On one that I worked on you go to Soil & Water Conservation District (SWCD), then that takes you to the next spot and then onto DNR, they send you elsewhere. You don't have a definitive resource, other than as you say, if you thought it looks like it should drain south then that's the way it should go. No one can really say what we can do and I have been told that our County Surveyor is where it

needs to start, and I don't know if that is right or wrong. **Andy;** you would have to have data and even if you survey it, you have to have an engineer or hydrologist, someone to compute it to see how big the culvert needs to be or how wide the ditch needs to be and that is going to take funding. A lot of the County Surveyors have county regulated drains, I have been told that this county does not want to go that route. **Rick;** we have one I understand, we share one maybe. **Andy;** we've got three that we share with Rush County, my understanding is that most of the tiles or ditches are in Rush County but it's the watershed from Decatur County that flows north. There is probably only one of the three that this county collects taxes on. Even in Rush County they send things off to an engineering firm to find the proper size of pipe. **Krista;** we do the same thing, if we are given drainage and site plans we have to hire an engineer to interpret and to let us know if it meets our drainage ordinance, and that is costly. **Jay;** I'm very supportive and think it is time and well needed. I've had a situation with drainage issues in the past. It was hard to determine who would fix it, the State Highway garage, they used some equipment and an excavator and it was taken care of quickly. At times nature is the culprit. **Rick;** 90% of the time all goes well, it's the 10% that creates issues. **Paul;** it would seem to me that we would be on the tail end of development of something like this. It would seem that some quick bench marking with some counties that have developed a water board, what works, what doesn't.....**Rick;** that is my thought, search out some communities that are our size and see what they do, we don't have to re-invent the wheel. With your permission we will work with Krista to make something happen. **Ryan;** I think it's a great idea. **Jay;** it probably needs to be a part of our next Comprehensive Plan as well when we get down the road, we will have this developed and can be added.

With no other business before the board the meeting was adjourned at 8:03 p.m.

ATTEST

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Secretary, Andy Scholle

Decatur County Area Plan Commission

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President, Jay Hatton

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