

**Commissioners Meeting
November 2, 2020 8:00 a m**

Present: Mark Koors and Jerome Buening Rick Nobbe joined the meeting via telephone

Decatur County Commissioner Mark Koors called the November 2nd commissioners' meeting to order; he then announced Title VI forms are available for anyone who would like to fill out and turn in at the Auditor's office.

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

Mr Buening moved to approve the October 19th Commissioners' meeting minutes as presented, Mr Nobbe seconded and Mr Koors concurred.

Mr Nobbe moved to approve both the accounts payable and payroll claims, Mr Buening seconded and Mr Koors concurred.

Highway Superintendent Mark Mohr presented updates on various projects: the intersection at County Road 900 South and Southwest 60 has been demolished and is now under construction; a back entrance to Lake Santee- County Road 880 East at County Road 400 North has been surveyed for multiple culvert replacements next year; crews are in the process of 'berming' Southwest 60, starting at County Road 1100 South to the Greensburg City limits and also part of County Road 400 as part of the **Community Crossing Grants**. **Dave O'Mara** will come in Wednesday to begin paving those roads. Highway crews are also checking for log jams on several bridges after last week's rain and are 'setting up' some of the trucks for winter.

Area Plan Director Krista Duvall presented **Decatur County Ordinance 2020-19**, Dan McLean petitioning to rezone 3.2 acres from A1 to B2 with plans to construct storage units. Local resident Bill Wietlisbach told Commissioners that every person around that property doesn't want this due to the 47 possible types of businesses allowed in a B2 zone. Mr Buening moved to table Ordinance 2020-19, Mr Nobbe seconded and Mr Koors concurred.

Commissioners opened the floor to those wishing to share their opinions on the proposed revised ordinances related to the **2016 Comprehensive Plan**. Patty Fischer, Don Kramer and Dorothy Lecher- speaking on behalf of the local **Farm Bureau**- have reviewed the committee's recommendations and the Farm Bureau opposes changing the 660 feet to 1000 feet of a setback distance from residence to residence; they feel the 370 feet from a property line or a maximum of 400 feet meets **IDEM's** guidelines giving property owners opportunity to use their property as they see fit. Tom Warner wants 500 or more feet as he isn't in business for the hog farmers. We're working for all of the people of this community. Jennifer McNealy doesn't recall the 370 feet being discussed at a meeting. The Commissioners were given maps citing 3 different setbacks to review when deciding to agree or disagree with the **APC's** recommendations. Mr Wietlisbach clarified he is here for the farmers and these changes are chipping away at agriculture-farmers., may eventually end it. Mrs Fischer introduced **Brianna Schroeder, Indiana Ag Law Foundation**. Ms Schroeder spoke to the concerns about a county's setbacks that differ with **IDEM** who has qualified staff/researchers and research data. **IDEM's 327 IAC 19** sets out different setbacks for wells, roads, residences, etc. Jennifer McNealy stated that "Home Rule" gives Decatur County the option to set more stringent rules than **IDEM**. Mr Warner questioned whether **IDEM** knows our County. Ms Schroeder cautioned all Decatur County does not regulate pollution nor contamination. Ms Duvall stated the current **IDEM** setback statute, **327 IC 19-12-3**, is 400 feet structure to structure. Ms Schroeder reminded all that setbacks are not based on soil types as stated in the **USGS** maps. **Lindsay Bedel, Ag Teacher at South Decatur High School**, is most concerned for students who won't be able to continue/progress the family farms; so, let's help not hinder. Mr Buening initially was inclined to agree with the 500 feet setback which is pretty restrictive; but he's not in favor of the 370 feet knowing what **IDEM** has in place. He recommends sending a recommendation of 400 feet (430 feet) back to the **APC**. Mr Nobbe said he is in favor of a setback of 400 feet which requires about 36 acres of land. Mr Nobbe moved the Commissioners submit for the **APC's** consideration a setback of 400 feet from the property line and a setback buffer of 1320 feet from the incorporated towns. Mr Buening seconded the motion and Mr Koors concurred.

In the past 2 weeks, **Building Inspector Kenny Buening** has completed 47 inspections and issued 26 new building permits and 1 red tag -a pole barn being constructed without a building permit which owner has now gotten. He sent a letter to a property owner on County Road 850 South requiring the property to be cleaned up; the next step **County Attorney Ken Bass** will send a letter informing property owner if the County has to

pay someone to clean up the property, those costs will be added as a lien on the property taxes. Kenny hopes to send letters to the Lake McCoy residents who are in violation of the County's public nuisance ordinance and the unsafe building ordinance in the near future.

Decatur County Sheriff Dave Durant requested \$15,000 from the Cumulative Capital Development Fund to purchase equipment for the new vehicles. Mr Nobbe moved to approve Sheriff Durant's request, Mr Buening seconded and Mr Koors concurred. He also shared concerns about maintenance issues in the Detention Center, which Jail Commander Dana Parker has to deal with; such as unclogging plumbing fixtures. The maintenance issues also put a strain on personnel. Sheriff Durant has moved some beds from the old jail to the Detention Center due to separation issues and he hopes plans to move the PODS happens sooner than later. He has applied for United Fund grant money to hire a program director for programs to help slow recidivism. Currently there is no COVID in the in the Detention Center.

Local resident Jeff Kraus requested permission to set muskrat traps on the old reservoir; he would trap for about a week. **County Attorney Ken Bass** will create a waiver for Mr Kraus to sign releasing the County of responsibility for any accident. Mr Nobbe asked Mr Kraus to let the Commissioners know when he stops trapping.

Commissioners reviewed the per diem increase for poll workers submitted by County Clerk Adina Roberts. The request is for the additional cleaning required for the November 3rd Elections due to the COVID guidelines. Mr Buening moved to grant the pay raise for poll workers, Mr Nobbe seconded and Mr Koors concurred.

Mr Buening moved to adopt **Resolution 2020-10**, Mr Nobbe seconded and Mr Koors concurred. Resolution 2020-10 provides for reimbursement of Public Health and Public Safety payrolls costs with **CARES Act Funding**.

Mr Nobbe has asked Council members Kenny Hooten and Ernie Gauck to meet to discuss maintenance for the Courthouse, Detention Center and the Fair Grounds to take a serious look at this need.

Mr Nobbe moved to approve the quote, for maintenance on the county's generators, submitted by **GenSet Service LLC**. Mr Buening seconded the motion and Mr Koors concurred. **GenSet's** quote was \$4,900 while **Buckeye Power's** was \$10,170.

Commissioners will review quotes for the audio system for the EOC and Meeting Rooms 106 and 141 in the Courthouse. They hope to make a decision at their next meeting.

Mr Buening moved to engage **Tree-Centric Solutions** to install a watering system for the Courthouse tree. Mr Nobbe seconded and Mr Koors concurred. The Tourism Board budgets \$5,000 each year for 'tree maintenance' which will cover this cost.

Mr Nobbe moved to approve the **2021 Holiday Schedule** as presented, Mr Buening seconded and Mr Koors concurred. This holiday schedule is set by the **State Court Administration**.

Maxwell Construction Manager Chris Grabosky introduced local resident **Kevin Foster**, who was recently hired by **Maxwell Construction**.

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

Attest:_____

Date:_____