

**Commissioners Meeting
October 19, 2020 8:00 a m**

Present: Rick Nobbe, Mark Koors and Jerome Buening

The October 19th, 2020, Decatur County Commissioners meeting was called in session by President Nobbe; he then announced Title VI forms are available for anyone who would like to fill out and turn in at the Auditor's office.

Mr Koors moved to approve the October 5th Commissioners' meeting minutes as presented, Mr Buening seconded and Mr Nobbe concurred.

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

Mark Mohr, Highway Superintendent, reported the 'paving' for the Community Crossing Grants will be completed next week and 3 local roads were done last week. He hopes to have a Spring letting for the bridge on Washington Street in Greensburg. **USI's** proposed plans are to keep and point-tuck the limestone abutments and put a new deck on. This project should be under \$400,000 and would be funded by the Cumulative Bridge Fund. Mr Mohr expects this project to take approximately 3 months; he will ask USI to come in 5-10 days as construction engineer to inspect/review the contractor's work. The City of Greensburg is responsible for setting up a detour route during this construction.

Area Plan Director Krista Duvall presented **Decatur County Ordinance 2020-14**, Greg Kreiger petitioning to rezone 2.99 acres from A1 to A2 to construct a single family detached dwelling. Mr Koors moved to approve Ordinance 2020-14, Mr Buening seconded and Mr Nobbe concurred. **Decatur County Ordinance 2020-18**, Corey Ross requesting a rezone 1 acre from A1 to A2 in Westport so he have access to the Westport Water system. Mr Buening moved to approve Ordinance 2020-18, Mr Koors seconded and Mr Nobbe concurred. **Decatur County Ordinance 2020-20**, Adrian Scripture, as **CARTRIMIC**, petitioning to rezone 12.714 acres from Industrial 1 to Business 2 for the purpose of creating an event center in an old barn on the former Stapp Farm. Mr Koors moved to approve Ordinance 2020-20, Mr Buening seconded and Mr Nobbe concurred.

In the past 2 weeks, **Building Inspector Kenny Buening** has completed 45 inspections and issued 12 new building permits and has issued 3 red tags – 2-meter bases not grounded and the construction of a pole barn without a building permit which these have been corrected. Kenny will draft letters to send to the Lake McCoy residents who are in violation of the County's public nuisance ordinance and the unsafe building ordinance.

Area Plan Director Krista Duvall presented the APC/BZA's ordinance updates, stating the County has spent well over \$100,000 to update the pervious Comprehensive Plan and 25-30 people have met numerous times/many hours over the past year or more to write these ordinances as set out in the adopted 2016 Comprehensive Plan; they have done a good job. Ms Duvall asked the Commissioners to approve these ordinance updates as presented/written. **County Attorney Ken Bass** concurs with Ms Duvall these ordinances would pass constitutionally. Mr Nobbe said the Comp Plan calls for a distance of 1000 feet from a livestock barn to a dwelling, which is more than the previous 650 feet; he stated they need to provide for the animal agriculture in Decatur County. Mr Duvall explained that the property owner has the option to petition the Board of Zoning Appeals to vary that distance. Mr Buening believes the property owner's rights should be included in these talks. Mr Koors would like to hear from the people in today's audience before he makes his final decision on adopting the updated ordinances. Mr Nobbe asked for a motion to approve the ordinances as presented. Neither Mr Buening nor Mr Koors made the motion; with no motion made, Mr Nobbe opened the floor for anyone wishing to speak. **Gordon Smiley, Joe Stein, Tom Warner, Don Yager, Don Kramer**

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Jennifer McNealy, Bill Wietlisbach, Patty Lange Fischer, representing Decatur County Farm Bureau; each made statements/requests according to their livelihoods and plans for their future property plans.

Commissioners thanked everyone for taking time to come to the meeting and they will give serious consideration to what was said today. These ordinances also affect the non-ag people who want to sell their properties; so, issues need to be 'ironed out' for the good of everybody. Ms Duvall reminded all these ordinances give a person more rights as the APC is for construction/building and the BZA is the avenue to allow variances to the ordinances. Commissioners decided to table the ordinances presented and they will 'send them back to APC with recommendations at the next Commissioners' meeting on November 2nd.

Dunn and Associates, healthcare benefits administrator, is recommending a change in the County's prescription plan/program regarding specialty drugs. An employee may qualify for a discount through the drug maker; if they do not qualify insurance will pay for it after their deductible is met. Several pharmacies offer discounts or special prices, but since employees are 'government' they do not qualify. The new prescription plan removes that block and the employee may qualify for other discounts/aid. The County would move from **True Scripts to True RX**. Mr Buening moved to allow Mr Nobbe to sign a termination letter to True Scripts. Mr Koors seconded the motion and Mr Nobbe concurred.

Mr Koors moved to sign a 1-year contract with **CSI** to maintain access to court data not on the Clerk's **Odyssey Case Management** system. Mr Buening seconded the motion and Mr Nobbe concurred.

The Commissioners decided to amend their Capital Improvement Plan (EDIT) due to the State Board of Accounts recent audit of the Courthouse Rehab Loan accounting. Mr Buening moved to remove Part D (repayment of the loan) and add those monies to Parts E (Build Decatur County) and F (Rainy Day Fund). Mr Koors seconded the motion and Mr Nobbe concurred.

The close out for the **Children's Advocacy Coalition** pass through grant was signed and entered into the file.

Commissioners thanked **Recreation, Visitors and Tourism Director Philip Deiwert** and his Board for funds they budget to 'take care of the Courthouse tree'. Mr Deiwert has received invoices for the crane and arborists. Mr Nobbe shared recommendations from the arborist for an automatic irrigation system which would also apply nutrients. Mr Deiwert stated \$5,000 is budgeted each year for 'the tree'.

Commissioners are working on a way to address the ongoing maintenance needed at the County's buildings.

Public Safety IT Director Josh Tressler will work with the Auditor, department heads and the City to look at quotes for service/support for phones and system. **ETC-Great Plains** 'run' the service to the buildings, but are not supporting anything inside the buildings.

Commissioners agreed the Courthouse will not be open to the public on the evening of November 3rd – Election Day. They opted to use **EOC or Wolf Theatre**.

Mr Bass will send a letter to **Hidden Paradise** advising they owe **Innkeepers taxes** to the County. These taxes are charged/added to a person's bill when renting the cabins for less than 30 days at a time. Commissioners agreed it isn't fair to the other area hotels and bed/ breakfast businesses who are collecting and paying the innkeepers' tax. Vendors may send the collected Innkeepers taxes to the **Department of Revenue** or the **Decatur County Treasurer's Office**.

Hardebeck Appraisal Services appraised the **Rattan Enterprises** property in Westport at \$10,000. A prospective buyer is not interested in the property at that price. Commissioners discussed whether to forward the appraisal to the **Internal Revenue Service** to request they remove the \$75,000 lien. Someone else may be interested once the federal lien is removed.

Commissioners will review the list of appointments they make each year to several County Boards at their November 2nd meeting.

Deputy Auditor Blair Haley asked to meet with the Commissioners to revisit the Cares Act Reimbursements.

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

Attest: _____

Date: _____