

CONTINUED MEETING DUBOIS COUNTY COMMISSIONERS

May 21, 2018

The continued monthly meeting of the Dubois County Commissioners was held in the Commissioners' Room of the Courthouse Annex in Jasper, Indiana, beginning at 8:30 a.m. (EST) on May 21, 2018. Present were Commissioners Nick Hostetter, Chad A. Blessinger and Elmer Brames. Also present were County Auditor Kathleen M. Hopf, County Surveyor Ken Brosmer, Highway Supervisor Steven L. Berg, Highway Engineer Brent Wendholt, and County Attorney Arthur C. Nordhoff, Jr. A quorum was declared present and the meeting was opened for business by President Hostetter. Minutes of the May 7, 2018, meeting of the Commissioners were approved as presented. On motion made and seconded, the Commissioners approved the Claims and Allowance Docket and the Payroll Docket.

RE: TRASH ORDINANCE VIOLATION

Solid Waste Director Carla Striegel-Winner, after being sworn in, submitted evidence of three trash dumps which were made on the weekend of April 9, 2018. Reports of 23 bags of trash at three sites were made on April 9 and 10, and trash within the bags disclosed all came from a common address, 1338 Leopold Street, Jasper, IN. The Jasper enforcement office advised the Director that on April 6, 2018, the residents at this address were ordered to dispose of accumulated trash. Pictures of various trash bags and their contents were presented by the Director. Trash dumps are 200W South of 700N; West Haysville Road and Old State Road 45. Written notices of the complaint were mailed to the residents. Personal delivery of hearing notice was made to the resident by a State Conservation Officer. The Department devoted numerous hours to the case and expended \$23 for disposal of dumped bags. The Director reported costs of \$333.47. The Commissioners agreed to add three incident penalties of \$100 each to the reported costs for a total of \$633.47. On motion made and seconded, the Commissioners ordered Mr. Lemond to pay \$633.47 to the Auditor within 60 days.

RE: DIVISION ROAD REAL ESTATE SALE

Attorney Nordhoff reported that, as instructed by the Commissioners at their May 7, 2018 meeting, he had contacted a representative of the Small family and advised them that their bid for the 4.3 acre on Division Road property was below appraised value, and the Commissioners would accept an offer for 90% of such value. The Smalls' representative subsequently advised that they would accept the 90% offer. The Attorney submitted to the Commissioners a deed for the sale of the property at the 90% value, which was accepted, and the deed was executed.

RE: HABITAT FOR HUMANITY – SETBACK VARIANCE

Jeremy Foxen, representing Habitat for Humanity, appeared to explain how two homes built on Lot 2 and 3 of Habitat for Humanity's 1st Addition in Jackson Township were built over the setback line. Foxen advised the Commissioners that the builders were unaware of the setback requirement and measured the location of the homes by measuring from road centerline. Other than the setback problems, there is no problem as to the location. The various alternate penalties were discussed. Due to this being a low income housing project, the imposing of a penalty was waived. On motion made and seconded, based on the circumstances, the Commissioners granted an exception to the Subdivision Ordinance for the two homes as constructed.

RE: COUNTY ROAD 800 WEST

Darryl Lee and Jeremy Lee and other residents appeared to request the status of improvement of County Road 800W on the Madison Patoka Township line. The Engineer stated that surveying is currently in process and should be completed this summer. The area north of the Patoka River Bridge is flood plain and will require substantial fill prior to paving. The time in which the project is completed will depend on funding.

RE: COUNTY COMMUNICATIONS COMMITTEE

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Members of the County Employee Communications Committee appeared to discuss a proposed employee survey. On motion made and seconded, the proposed plan was approved.

RE: STEVE WYLAND EXEMPTION – COLUMBIA TOWNSHIP

Phil Buehler, Brosmer Land Surveying, appeared to request a family farm exemption for Steve Wyland for a 1.084 acre tract in the NW quarter of the NW quarter of Section 21-T1N-R3W in Columbia Township off a private roadway running north from Crystal Road. After discussion regarding the number of residences served off private roads, on motion made and seconded, the exception was granted. The problem caused from such location of homes off County Roads on private roads was further discussed.

RE: SEGER ADDITION – BAINBRIDGE TOWNSHIP

Phil Buehler, Brosmer Land Surveying, submitted a plat of the proposed Seger Addition in the NW quarter of the NE quarter of Section 14-T2S-R5W in Bainbridge Township, consisting of two lots along County Road 225S. A utility shed is currently located within 13.1 feet of the right of way of County Road 225S, and plat approval is subject to the shed and to plat approval by the City of Jasper.

RE: NORTHEAST DUBOIS SCHOOLS SECURITY

Bill Hochgesang, Superintendent of Northeast Dubois County Schools, appeared to request the part-time services of a Deputy Sheriff for security at the Northeast Dubois Schools. The State is sponsoring a \$35,000 grant for security and the School Corporation is offering to provide \$35,000. Officer Knies of the Jasper Police Department, who is assigned to the Jasper Schools, appeared to describe his duties. The training requirement for an assigned officer was discussed, along with questions of supervision of the assigned officer. The Commissioners agree with the service officer concept, subject to funding of approval. On motion made and seconded, the Commissioners approved creation of the position, subject to funding by the State and approval of additional funding by County Council.

RE: JASPER STRASSENFEST

Mike Ackerman, representing the Jasper Strassenfest Committee, appeared to request use of Courthouse property during Strassenfest in the same manner as in past years. On motion made and seconded, the use was approved, and Ackerman was instructed to contact the Courthouse Custodian.

RE: 2019 COURTHOUSE PAYROLL SCHEDULE AND CLOSING DATES

Auditor Hopf submitted a payroll schedule for 2019 for County employees. On motion duly made and seconded, the schedule was approved.

As to work schedule for County employees, Commissioners discussed a request from the public that the Courthouse be open on Good Friday. After discussion, the proposed 2019 Courthouse closing schedule was approved, including Good Friday closing, on motion made and seconded, with two votes in favor of the schedule and one vote opposed to the schedule.

RE: HOPF-KLEM PROPERTY

Mike Klem, a property owner of real estate in the NE NW Section 33-2S-4W, appeared to object to the use of a concrete drive on their property to serve an adjacent proposed subdivision. The subdivision as proposed has a dedicated roadway in the subdivision; however that right-of-way is not proposed to be used. Rather, access is proposed using the adjacent private roadway. The Commissioners advised that, under current Ordinance, the propose plat would comply with the Ordinance.

RE: KOERNER BLOCK INC. - BIRDSEYE

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Mary Ann Cummings and Arch McCutcheon from Birdseye, representing Koerner Block, Inc., a not-for-profit corporation, appeared to request that, with the purchase of the former Koerner Building in Birdseye, the County terminate the existing real estate tax balance due on the property. The property would be donated by the current owner to the tax exempt entity which would use the property for public park purposes. On motion made and seconded, the Commissioners agreed that if the tax-exempt entity obtains title to the property the County will void the prior past due taxes, if such action by the Commissioners is allowed by the Indiana statute.

RE: HIGHWAY SUPERVISOR'S REPORT

Highway Supervisor Berg submitted his report of current Department projects as follows:

Interviews for Open Positions – On recommendation of the Highway Supervisor, and on motion duly made and seconded, the Commissioners approved employment by the Highway Department of Clint Buttery, as District 3 driver and Cody Englert as bridge crew laborer, subject to pre-employment screening.

Celestine 175th Night Parade – On motion made and seconded, the Commissioners authorized an evening parade at Celestine on June 28, 2018, from 9:30 pm until 11:00 pm, beginning at Celestine Park, then north on Celestine Road South, right on Main Cross Street, then north on De La Hailandiere Street, left on Saint Mary's Street, south to Celestine Road, return to Park.

Appropriation Transfer - On motion duly made and seconded, the Commissioners approved the transfer of \$360,000 from Bituminous Material to Paving Projects, subject to approval of the County Council.

Property Complaint on County Road 400N – The Supervisor reported that the owner of property north of 400N has requested additional time to clean up the area on which prior complaint was filed with the County. Clean-up was previously requested by the County. The Supervisor reported that he had approved the extension of time provided that the property owner shows progress in the clean-up process.

J H Rudolph Escalation Clause Increase – The Supervisor reported receipt of notice from JH Rudolph of increase in price for asphaltic concrete and bituminous materials, due to current market conditions on oil.

Ireland Collection Site Lease – On motion made and seconded, the Commissioners approved and signed a renewal of lease with Saint Mary's Church at Ireland for the Ireland Solid Waste Collection site, at an annual cost of \$425, for a five year period.

Frontier Damage Claim – After months of denying damage claim from Frontier, we received a notice from their attorney. Commissioners instructed the Supervisor to contact Frontier. He is to request detailed information on how they determined any liability they believe falls on Dubois County.

RE: HIGHWAY ENGINEER'S REPORT

Highway Engineer Wendholt submitted his report of current engineering projects as follows:

Railroad Overpass – Invoice received from DLZ for \$1,450.84 for the County's portion of claim for services on Huntingburg overpass. On motion made and seconded, claim approved and payment authorized.

Culvert Replacement PA3E4112 – Culvert completed and waiting for concrete floor to cure. Open within the next week.

2018-2021 Bridge Inspection – Draft of Phase 1 of Inspection Report received from American Structure Point, reviewed and determined to be complete. On motion made and seconded, draft is approved.

Subdivision Ordinance – Draft of final copy of Subdivision Ordinance submitted. Health Department requests to make requirement on plat as to whether a soil test for housing sewage system has been performed. Discussion was held as to whether this expense should be required should the property not be intended for residence, and the opinion of the Commissioners is that no reference to soil tests should be included on the plat. A number of other points concerning the draft of the Ordinance were discussed. On motion duly made and seconded, the Engineer was authorized to hold a public hearing on the Ordinance.

RE: INDOT LPA INVOICE VOUCHERS

On motion duly made and seconded, the Commissioners authorized the Highway Engineer to execute future INDOT LPA Invoice Vouchers.

RE: DUBOIS STRONG AND REGIONAL DEVELOPMENT AUTHORITY UPDATE

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Commissioner Brames reported that at a recent Dubois Strong meeting it was determined that an Economic Resiliency Plan should be performed for the County by Dubois Strong, in conjunction with such a plan to be conducted by the City of Jasper. Cost to Dubois Strong/Grow Dubois County will be \$12,000.

Commissioner Brames also reported on a recent Regional Development Authority (RDA) meeting with State officials. A problem may exist if the proposed highway route is through a national forest area. After resolution the next step will be the environmental study.

RE: FUTURE MEETINGS

The Commissioners will meet on Monday, June 4, 2018, at 8:00 a.m. and Monday, June 18, 2018, at 8:30 a.m., in the Commissioners' Room of the Courthouse Annex.