
Gibson County Board of Commissioners
Regular Session
April 5, 2022

The Gibson County Board of Commissioners met in Regular Session on April 5, 2022, at 5:30 p.m. at the North Annex Meeting Room.

Prayer was led by President Montgomery followed by the Pledge of Allegiance to the Flag.

Members Present: President Kenneth Montgomery, Vice-President, Mary B. Key and Commissioner Warren Fleetwood

MINUTES: The minutes from the March 15, 2022, meeting were approved as presented. Commissioner Key motioned to approve minutes, seconded by Commissioner Fleetwood. With no further discussion, the motion carried 3-0.

CLAIMS:

REFUND PAYROLL DEDUCTIONS	\$104.76
PAYROLL DEDUCTIONS	\$160,908.25
INSURANCE CLAIMS	\$348,084.92
REISSUE UNION DUES PAYMENT NOT RECEIVED	\$8,125.00
PAUPER CLAIM	\$1,307.50
JURY CLAIMS	\$2,601.41
PAYROLL DEDUCTIONS	\$14,227.77
LIT DISTRIBUTIONS	\$540,209.09
WHEEL, SURTAX, INNKEEPERS, ED PLATE DISTRIBUTIONS, DITCH CLAIM, EXCESS REFUND	\$101,107.91
COUNTY GENERAL	\$167,160.06
COURTS	\$10,247.71
HIGHWAY	\$36,051.48
SHERIFF	\$7,631.31
ACH	\$169,376.15
CAW-1	\$15,892.79
CAW-	\$24,083.18
CAW-	\$11,930.02
CAW-	\$40,810.75
Total Claims Presented on 4/8/2022	\$1,659,860.06

Commissioner Key motioned to approve claims presented for payment, seconded by Commissioner Fleetwood. With no further discussion, the motion carried 3-0.

Department Reports

Sheriff Bottoms gave Commissioners the March reports. He reported issues with the gas pump and IDEM is requiring them to check for leakage twice per week, which will require shutting the pumps down 2 days per week. He has contacted Hinderliter for a repair quote and it came in at roughly \$9,000. The Fire Marshal also did a regular visit and suggested a reconfiguration of the pumps. Parker Excavating was contacted for a quote; it was quoted at f\$3,950.

Debbie Bennett-Stearnsman gave a report on the ARPA Funds. The 3 public hearings have been completed and she has divided the projects into County projects and then competitive projects, for profit or private projects. The request is much larger than the amount of the money the County will receive.

The next Core Group Meeting will be April 27, 2022 at the North Annex at 4:30 p.m. This meeting is for the Core Group only. She is working on applications that applicants will have to complete, but they are not finished yet. She asked the Commissioners to review the applications and make note of any changes to Debbie via email. She is also working on the scoring matrix. She reviewed the next steps to commissioners. No matter what the Core Group does, the final decisions will go to the Commissioners and the Council for appropriation.

COMMISSIONERS OLD BUSINESS

Gibson Solar Permit Approval; Gibson Road Use Agreement; Elliott Road Use Agreement; and Revised Lay Line Pipe Core Permit – Attorney Spindler told Commissioners that Jarred Pitts is on zoom and Rick Reed is present, both representing the projects. Mr. Reed presented the permit for Gibson Solar, and all other documents to approve tonight. Commissioner Key, Attorney Spindler, and Engineer Holden have reviewed all the agreements and they all feel they are ready to approve the agreements; with that, Attorney Spindler recommended the Commissioners act on these items. Attorney Spindler requested Commissioner Fleetwood leave the room as he is planning to abstain from the vote. Commissioner Key motioned to approve all documents presented, seconded by Commissioner Montgomery. The vote was 2-0.

CR 350 Railroad Crossing – Commissioner Fleetwood told everyone Commissioners are trying to work for the citizens to utilize the roads in Gibson County. They want to work with the railroad and provide solutions for important travel in the County. Commissioner Fleetwood and Attorney Spindler have met with Norfolk Southern but have received inconsistent results from the talks. CR 350 E seems to be blocked a lot and the breaking of the trains is intermittent. Vigo and Marion Counties have both dealt with this issue for years. As a commissioner, he wants everyone to know this is not an easy fix, but he feels the County needs to continue working on permanent results, not intermittent results. The next effort is to encourage our local rail employees to help us as much as they can. Attorney Spindler says this problem is not unique to our county; he spoke to a legislator who was very familiar with this problem. The Legislator is located in Elkhart County and told Attorney Spindler kids going to school have to climb over the train to get to school. Attorney Spindler feels if the County is going to challenge this, they will be better served if they join forces with other communities that are also having similar problems. He also feels everyone should contact their legislator at the federal and state levels to let them know about the problem. Also, he urged people to have the same conversation with Toyota Management.

Stormwater Management Ordinance and Fee Schedule – Attorney Spindler advertised this item for a second public hearing; the public hearing was opened. Gary Seibert asked the Commissioners to approve both the ordinance and fee schedule. He has not heard anyone complain about this ordinance in the 14 years they have worked on this. Commissioner Fleetwood thanked Gary for cutting out the fees that might affect the little person. The fees now pertain to major subdivisions, planned developments, and industrial and commercial sites only. There are no fees set for someone building a home on a 10-acre plot of land. Commissioner Fleetwood has read over the ordinance and wonders if the language regarding the Gibson County Surveyor can be changed to drainage board, as the drainage board will be reviewing and approving these storm water plans and not the surveyor. Commissioner Fleetwood feels single family dwellings should be exempt, along with single family mobile homes, pole barns, garages, small home-based business buildings, single-family manufactured homes, and agricultural disturbing activities. Commissioner Fleetwood also asked that the line about zoning be removed on page 14. Attorney Spindler asked if there was anyone else present that would like to be heard on this ordinance or fee schedule; no one approached the podium, the public hearing was then closed. Commissioner Fleetwood motioned to approve three documents: Stormwater Management Ordinance 2022-2, contingent on the changes he discussed above about removing the zoning language on page 14, all references about the surveyor will be replaced by drainage board, and exempting out the items specified above; Ordinance 2022-3 Fee Schedule for the Stormwater Management Ordinance and the

Stormwater Technical Standards Manual, seconded by Commissioner Key, even though she has a bit of a problem with the requested changes. With no further discussion, the motion carried 3-0.

TIF Road Project – Commissioner Fleetwood is bringing this item back to Commissioners regarding a series of roads that need to be paved and feed into Toyota - the description is as follows: CR 600 S to the “Super Slab” for 3.5 miles, CR 175 for 3.5 miles, CR 100 E for ½ mile, CR 550 S for ¾ mile, and CR 350 E for 5.5 miles (Super Slab from SR 64 to SR168). Commissioner Fleetwood is aware that Tulip Tree Drive is another road they intend to request funding to pave; it will be a costly project on its own. Commissioner Key feels CR 425 S from 100 E to 175 E should also be a part of the project, as it has been used to haul dirt to the landfill, furnished by Toyota to help improve the landfill surface drainage. Commissioner Fleetwood motioned to move this project forward to the RDC except for Tulip tree Drive and the inclusion of CR 425 S, in the amount of \$3,000,000; RDC members have told Commissioner Fleetwood there might be a July 2022 deadline to submit projects. The motion was seconded by Commissioner Key. With no further discussion, the motion carried 3-0.

Steve Krieg, President of the Francisco Town Council requested that Francisco get a portion of the TIF money to help them repair the roads damaged by Peabody Coal Company plus the INDOT traffic detour. Mr. Krieg requested an answer from the Commissioners tonight; Commissioner will have to review this before deciding.

Southern Hills Subdivision – Attorney Spindler introduced Attorney Calderon, of Barnes & Thornburgh, into the meeting via zoom. Attorney Calderon explained that the Commissioners had received a letter from SPM Development requesting reconsideration or modification to the denial of the primary plat, which took place on March 15, 2022. Attorney Calderon prepared two options for the Commissioners to consider. The first option, to approve, overturns the March 15, 2022 denial approves the primary plat. The second option, to deny, keeps things status quo with the plat being denied. SPM Development is not proposing/considering change to the plat originally denied on March 15, 2022, according to SPM’s Attorney. Attorney Calderon recommends the Commissioners deny the request to modify since SPM is not proposing changes. Commissioner Montgomery motioned to deny the request to modify the March 15, 2022 Commissioner decision, seconded by Commissioner Fleetwood. With no further discussion, the motion carried 2-1, with Commissioner Key casting the nay vote. The motion to deny carried; Attorney Calderon will prepare a findings in fact for the next meeting on April 19, 2022.

COMMISSIONERS NEW BUSINESS

New Probation Building Groundbreaking Ceremony on 4/20/2022 from 5:00 – 6:30 – Commissioner Fleetwood invited all elected officials, Judges, and Gibson County residents to this ceremony.

Gibson County EMS Headquarters TIF Project Request for Approval – Michelle Mason was present to request this new headquarters for the EMS as they currently rent space from Gibson General Deaconess Hospital, and have since circa ‘70’s. The Fair Board will sell them property near the fairgrounds for \$125,000. They are requesting \$2,000,000 for this project; this base will continue to serve the same area as it has always served, only the location will change. Commissioners approved a contract presented by Attorney Spindler for the 2022 year. Commissioner Key feels TIF money should be used on roads; she feels other money should be explored rather than TIF money.

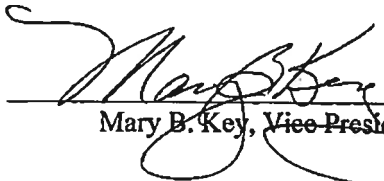
Commissioner Key motioned to table for further discussion, seconded by Commissioner Montgomery. With no further discussion, the motion carried 3-0.


Major Medical Leave (3) was approved by the Commissioners with a motion from Commissioner Fleetwood seconded by Commissioner Key. The vote was 3-0.

With no further discussions, Commissioner Key motioned to adjourn the meeting, seconded by Commissioner Fleetwood. The vote to adjourn is 3-0.

Minutes from the April 5, 2022 Meeting.


Kenneth Montgomery, President


Mary B. Key, Vice President


Warren Fleetwood, Commissioner


ATTEST: Mike Watkins, Auditor