
Gibson County Board of Commissioners
Regular Session
October 19, 2021

The Gibson County Board of Commissioners met in Regular Session on October 19, 2021, at 5:00 p.m. at the North Annex Meeting Room.

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

Roll Call by Auditor Watkins:

President Warren Fleetwood – Present
Vice-President Kenneth Montgomery – Present
Commissioner Mary B. Key – Present

Auditor Watkins noted a quorum was present.

MINUTES: The minutes from the October 5, 2021, meeting were approved as presented. Commissioner Key motioned to approve minutes, seconded by Commissioner Montgomery. With no further discussion, the motion carried 3-0.

CLAIMS:

CAW - 1	\$5,563.46
COUNTY GENERAL	\$1,887,878.86
COURTS	\$1,208.83
HIGHWAY	\$37,075.58
SHERIFF	\$4,596.67
ACH	\$138,343.38
CAW - 2	\$96,520.77
SAVINGS REFUNDS ON DIRECT DEPOSITS	\$850.42
PAUPER CLAIMS	\$1,639.86
PAYROLL REISSUE	\$5,116.92
PAUPER CLAIMS	\$1,075.00
ADDITIONAL PAYROLL DEDUCTIONS	\$22.50
PAYROLL DEDUCTIONS	\$154,181.67
PAYROLL	\$350,645.40
THIRD QUARTER TAX ADDITIONAL PAYMENT	\$22.08
LIT DISTRIBUTION	\$547,739.50
DITCH CLAIM	\$2,010.00
FINES/FORFEITURES REMITTANCE TO STATE	\$4,205.00
Total Claims Presented on 10/19/2021:	\$3,238,695.90

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

Treasurer's Report for September was acknowledged by the Commissioners.

Clerk's Report for July was acknowledged by the Commissioners.

COMMISSIONERS OLD BUSINESS

Fairview Heights Subdivision - Approval of the 1st plat - Glen Meritt from Cash Waggoner was present to seek the preliminary plat approval for this subdivision. They have added the requested notes regarding

the roadway construction. The notes reflect that if the roads are not installed per county standards, the County will not take them into the county's inventory. They plan to build on the exterior of this subdivision first; it will be a while before they get to the interior lots. President Fleetwood has some concerns about not having enough time to review. The HOA has not been created yet; covenants and restrictions will come a bit later as well. A secondary plat will be submitted for this 1st section. Commissioner Montgomery says he is never going to be in favor of taking subdivision roads into the county's inventory. Per Commissioner Key, at this time, the roads are considered private, and she feels everything is in place to give approval on this plat, at this time.

Commissioner Key motioned to approve the plat, seconded by Commissioner Montgomery. President Fleetwood asked that the minutes reflect that they have provided the Engineer and Developer with a copy of the County's Road Ordinance 2011-5. Commissioner Montgomery asked John Howe, GIS Director and Subdivision Committee member, his thoughts. He feels the preliminary plat approval the Commissioners are approving is for the general layout of the subdivision. He feels if a final plat comes in dealing with improvements, they will review it and make sure any necessary notations get put on that plat. If the subdivision developer comes back to the county and informs them, they are installing private roads, then the plat would be notated as such. There were concerns whether the fire department could provide service; a letter was received stating the fire department would be happy to service this subdivision. President Fleetwood reiterated his concern about not seeing the HOA in advance, but otherwise is in favor of this development. Someone from the audience commented that HOA's are typically set up after lots are sold and this is a primary plat only. The vote was 2-1, with President Fleetwood voting nay; even though he is in favor of the subdivision.

Storm Water Management Ordinance 1st reading – County Surveyor Martin, representing the drainage board told current Commissions they have been working on this item since back to 2007. They have a proposed ordinance on the Gibson County website. This ordinance will set specifications for storm water management in the county; it is consistent with Rule 5. Rule 5 controls sediment during construction where there is planned disturbance of one acre or more of land; everyone is subject to Rule 5. They have worked with soil and water district as well as persons that might have an interest in this matter. If a person were contending with Rule 5, they would deal with the Soil/Water District on the matter and this ordinance would also come into play. The ordinance focuses on quantity of water post construction for developments of one acre or more. Surveyor Martin is currently unaware of any State Statutes dealing with post construction. IC 36-9-28.5-3 requires regulation of storm water. President Fleetwood asked why he feels this has been on the agenda for 14 years without being approved. Surveyor Martin is unaware of problems the prior surveyor/drainage board dealt with but realizes the fees will need to be addressed. He explained there will be a fee when the permit is submitted, the fee will be used to have an outside source review the project. President Fleetwood feels the law does not require a policy to deal with the management of stormwater. President Fleetwood has given the ordinance a lot of time and thought and he feels the County needs to be fiscally responsible. He does not want to burden taxpayers and developers as the county needs housing. He doesn't want to burden the taxpayers with this law and have a tremendous amount of fees for storm water. He feels stormwater should be controlled to some extent, but he feels the developers are already doing this. He is comfortable approving the ordinance except for the fees and an outside source approving the permit. He feels the developers are already using a professional engineer and doesn't feel they need to have the expense of another engineer reviewing it. His motion is: go forward with the ordinance but do it all in house where Scott and his group drafts it without any fees. Surveyor Martin says he is not a licensed engineer, and he does not feel he can perform the reviews; he feels this is about responsible and orderly development. Commissioner Key feels it is the County's responsibility to control water displacement. She feels major developers are used to the fees and there are a lot of technical things inside the ordinance that the surveyor's office is

not licensed to handle; besides that, she feels there will be a lot of exceptions. The public hearing for this Ordinance will be held on November 2, 2021. Subdivisions create a lot of hard surfaces, and water must dump somewhere; even though there are fees, she feels the developer should spread it between all the parcels they are developing.

President Fleetwood motioned: at this time, no fees be attached to the ordinance nor will permit review be outsourced. Attorney Spindler told Commissioners if there are no fees attached to the ordinance, then a public hearing will not be required. Commissioner Montgomery feels the fees need to be charged to help keep up the ditches, etc. President Fleetwood does not feel these fees will go toward ditch maintenance; it will go to the outsourced engineer to review the permit.

Surveyor Martin feels this is no different than road specifications. Commissioner Key is hopeful this would ensure that 100-year flood damage is minimized and saves the county money.

President Fleetwood does not feel this is the case as he feels this is an extra burden to taxpayers. He gave the example of a person buying two acres of land and one acre gets disturbed for the placement of a home or mobile home; the landowner would be subject to this ordinance. If buyer is financing for a mobile home installation; he is not going to have the money for these extra fees. Surveyor Martin does not feel this is the intent, President Fleetwood understands this is not the intent, however it is going to cause this burden. Commissioner Montgomery does not want anyone to pay extra. Commissioner Key does not feel it is that much, as she feels there are exceptions and possibilities for waivers. Commissioner Key motioned to pass the Storm Water Management Ordinance and the Fee Ordinance.

An audience member asked to speak and stated he could see developers passing the fees down, but the original homeowner cannot pass the buck. He wonders if the Commissioners can exempt the original homeowner. Commissioner Key reiterated the rule of disturbance of an acre or more, however, President Fleetwood feels if a landowner tills the property and replants grass then they would be subject to the ordinance; he feels certain individual landowners will be affected. Surveyor Martin again refers to rule 5, and states that you probably have an engineering firm involved anyway. He investigated the Rule 5 permits submitted to Soil & Water in our County and IDEM and found no individuals applying for the permit. There were several consulting firms and an architectural firm, for a total of 11 Rule 5 Permits. Out of those 11, none would have been subject to the ordinance. He feels the larger developers expect this, as he receives calls on this and most are surprised to find a county without this ordinance. The agricultural community pushes for this ordinance. Commissioner Key feels the county needs to control this and try to help the ag community. Unknown Audience member asked how much the outsourced firm will charge to review the permits. Commissioner Key says it will cost approximately \$2500. The Audience Member feels the service should stay in the county.

Commissioner Montgomery does not like charging people extra fees; Commissioner Key says a common house builder will not be affected by this. Commissioner Montgomery is not in favor for charging fees and made a second to President Fleetwood's motion of no fees be attached to the ordinance nor will permit review be outsourced. Before the vote was taken, Commissioner Key asked President Fleetwood to allow Surveyor Martin to speak. Surveyor Martin told Commissioners his office cannot review the submittals pertaining to the ordinance. President Fleetwood offered to sit down with the office and try to work some things out. Attorney Spindler stated the motion on the floor with a second has no fees included, therefore, this is the introduction of the Storm Water Management Ordinance, and a public hearing will not be necessary since the fees were removed. The Ordinance will be finalized at the next meeting. The vote was 3-0 even though Commissioner Key wanted fees attached to the Ordinance. She felt they had been working too hard on the Ordinance to not pass it.

Correctional Facility and Duke Energy Incentive Program - Duke Energy Representative Cameron Woodard was present to give overview of the incentive program. He found out about the new construction thru another Duke employee and reached out to Mr. Ballard about their program. The program is offered on new construction designs. A Duke team will work with RQAW to look at the energy use at the jail and see if they can make any updates to try and save the county money. They will come up with a good energy plan for the Correctional Facility and make recommendations to save money on energy. They are working with the YMCA on this same program. Mr. Ballard also informed him about the Ft. Branch Gym renovations. Commissioner Key asked if there would be a consulting fee; it does not cost extra money to be a part of the program, however, better lighting or better equipment will possibly cost more. Commissioner Key also told him the possibility of a new probation office renovation or build. It is too soon to tell what the County's incentive might be on this Correctional Facility. Vigo County Jail received an approximate incentive of \$55,000 through their participation in the program. The program entitled New Construction Design Assistance can assist with major renovations and new construction.

Footprint of Correctional Facility - Mr. Ballard provided the Commissioners with a footprint of the new facility. This design includes the Detention Center, the Sheriff's Office and 911 Center. He is requesting approval of this footprint from Commissioners, pending land acquisition, approval from the Princeton City Council and Princeton Zoning Board. They intend to keep part of the facility intact until they are ready to pick up and move into the new facility and start operations in the new facility. Approval of this footprint will help show the Federal Courts the project is moving forward, as there is a report due in 4 days. Commissioner Montgomery motioned to approve the footprint, seconded by Commissioner Key. The vote was 3-0.

COMMISSIONERS NEW BUSINESS


Proclamation for Bill McConnell as he turns 100 years old - The County proclaims November 1, 2021, as "Bill McConnell Day" in Gibson County. Commissioner Key read the proclamation to honor William "Bill" McConnell. He was born November 1, 1921, he has spent his life as a resident of Gibson County. He began his career serving his country in the US Navy, entering on November 20, 1942, thru October 21, 1945. He continued to serve his community as a public servant to the City of Princeton, serving on the Council from 1952 thru 1955 and then Princeton City Mayor from 1960 thru 1972. He then began serving the County in 2001 thru present day as a County Council Member. He has served Gibson County roughly, 60 years, as a public servant. This model citizen has lived thru the most eventful century of this nation's history and is the oldest County Council member in Indiana and oldest living Veteran in Gibson County. Bill will turn 100 years old on November 1, 2021. There will be a ceremony to honor Mr. McConnell on 10/30/2021 from 2:00 p.m. - 4:00 p.m. at the Knights of Columbus in Princeton.

Bids received for demolition of property located at 314 N. Main Street, Princeton, IN -. Attorney Spindler told Commissioners that low bid of \$38,500 was a 2-way tie, and he would like to take the bids under advisement. The Council will also be acting on this item at their next meeting to appropriate the funds. Engineer Holden and Attorney Spindler will come to the Commissioners next meeting with a recommendation on awarding the bid to either Parker Excavating or Kerry Wilhite Excavating.

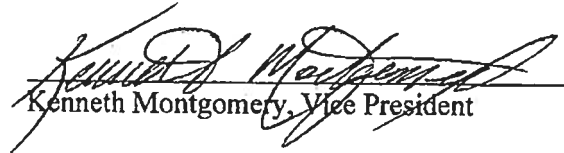
Major Medical Leave (1) was approved by the Commissioners with a motion from Commissioner Key, seconded by Commissioner Montgomery. The vote was 3-0.

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

Minutes from the October 19, 2021, Meeting.




Warren Fleetwood, President



Kenneth Montgomery, Vice President



Mary B. Key, Commissioner



ATTEST: Mike Watkins, Auditor