
Gibson County Board of Commissioners
Regular Session
December 15th, 2015

The Gibson County Board of Commissioners met in Regular Session on December 15th, 2015 at 6:30 PM at the North Annex Meeting Room.

Members Present: Included President Stephen E. Bottoms, Vice-President Gerald Bledsoe, Commissioner Alan Douglas, Administrative Assistant Kay Vore, and County Auditor Sherri Smith.

Members Absent: County Attorney James McDonald

The Pledge of Allegiance to the Flag and Welcome were recited and led by President Bottoms.

Minutes: The minutes from December 1st, 2015 meeting were read and approved with a motion by Commissioner Bledsoe and seconded by Commissioner Douglas. Motion carried 3-0.

Claims:

- County General - \$138,033.96
- Courts - \$5,207.48
- Highway - \$40,008.93
- Sheriff - \$36,460.48
- ACH - \$16,533.05
- CAW-1 - \$11,432.84
- CAW-2 - \$7,461.41
- Non-Union Insurance Claims - \$33,782.97
- Payroll - \$299,054.55-December 11, 2015
- Payroll Deductions - \$146,997.67

Commissioner Douglas made a motion to approve the claims and was seconded by Commissioner Bledsoe. With no further discussion, the Motion carried 3-0.

Department Reports:

No reports were given.

Old Business:

- Ordinance Concerning Disbursement of County Funds – Commissioner Douglas made a motion to approve ORDINANCE NO. 2015-6 AMENDING ORDINANCE NO. 2008-3 AN ORDINANCE CONCERNING DISBURSEMENT OF COUNTY FUNDS, as read

by Commissioner Bottoms, seconded by Commissioner Bledsoe. With no further discussion, the Motion carried 3-0.

- Resolution Amendment 2010-1 – Credit Card Use – Commissioner Douglas made a motion to approve RESOLUTION 2015-12 AMENDMENT TO RESOLUTION 2010-1 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF GIBSON COUNTY CONCERNING CREDIT CARD USE & PER DIEM POLICY, as read by Commissioner Bottoms, seconded by Commissioner Bledsoe. With no further discussion, the Motion carried 3-0.
- Commissioner Bledsoe stated that United Consulting Engineering is supposed to have layouts and estimates to Jim McDonald by the end the first of the year for the Kiesel Enterprises project. Kiesel Enterprises wants to put water and sewer lines under HWY 41. The County may work with them on the project.
- Fred Kuester representing the Wilderman Farm – They want to split the home and 1.86 acres off from the 80 acre farm located 3847 CR 350 S. Due the Sub-Division Control Ordinance guidelines, the Health Dept. was involved and Ben Dye won't sign off on the septic due the fact the home/land are in Flood Zone A, with discussions going on for over a month. Conversations between Mr. Kuester and County Surveyor Stevenson included drafting a letter to the Health Dept. and satisfy them and then the plat can be approved. A letter was drafted indicating the area rarely flooded, maybe once every 3 years and when it did happen it was only under water 2-3 hours and it would be gone. Ben Dye with the Health Dept. stated that he could not approve the septic as long as the flood maps showed this property in flood zone A. So after email correspondence with the County Surveyor with regard to another possibility, Mr. Kuester has come to the meeting on behalf of the property owners to ask for a waiver from the Commissioners. Two heirs own the home and acreage. County Surveyor Stevenson stated that the Sub-Division Review Committee has been involved. A septic certificate will not be issued as long as the property is in a flood plain. Commissioner Bledsoe made motion to waiver this issue, under the Sub-Division Control Ordinance, seconded by Commissioner Douglas. With no further discussion, the motion carried 3-0.
- Sub-Division Control Ordinance – President Bottoms stated that at the last meeting it was stated that they would have public comment at this meeting. Copies of the proposed revisions to the Ordinance are available. There will be a vote regarding the Ordinance by the Commissioners at the December 29th meeting.

Fred Kuester and his son will review the proposals.

Comments have been made to the Commissioners regarding the Sub-Division Ordinance, unintentional consequences or not.

The following people spoke on the Sub-Division Ordinance:

1. County Surveyor Stevenson – For those who may not know me, my name is Michael Stevenson. I am a licensed land surveyor in the State of Indiana and I have been the Gibson County Surveyor for 11 years.

Until last night I had no intention of speaking here tonight on this issue. Since the Commissioners didn't communicate with me or the subdivision review committee during the rewrite, I don't believe that they value my opinions on this "proposed" ordinance. After much thought and internal strife, I have come to the conclusion that I owe it to the citizens of Gibson County who elected me as their representative to give my professional opinion of this proposal. I am therefore doing so in this prepared statement and will not comment after this statement is made.

Since the effective date of this ordinance we have reviewed and approved over 160 Minor Subdivisions/Parcel Divisions. We have reviewed and approved over 90 Property Line Adjustments. We have had 70 exempt splits and 3 Major Subdivisions (one of which was a replat of an existing subdivision to correct errors). This works out to an average of just under two divisions that review and approve each week.

When this ordinance was adopted in 2012, it was assumed that changes would need to be made, which is why there was a period of time given to the Subdivision Review Committee to give variances on the ordinance and to propose changes to the Commissioners. The Subdivision Review Committee did just that and presented changes to the Commissioners who indicated at that time that they were not ready to adopt these changes and rather they would prefer to extend the Subdivision Review Committee's ability to give variances and ask that we continue to take notes on necessary changes. We continued to do so and have a draft that has never been considered.

We, the Subdivision Review Committee, believe that changes to the ordinance are necessary and that this ordinance will likely need to be revised periodically in order to better oversee divisions of property in the County.

With this being said, it is my professional opinion that the ordinance in its current, "proposed" form will not benefit the county as a whole. I believe that this ordinance will cause problems in the future and hurt Gibson County and its citizens. Removing guidelines for divisions of property will move us backwards and make the work of the County Assessor, Auditor, Health Department, and others more difficult.

From what I understand, from the very limited information that was given to me, the complaint is that the current ordinance causes unnecessary expenses and delays and is not necessary. I question these arguments. If an individual wishes to split property, they will in most cases enlist a surveyor to help with that process. The current requirements do not increase the workload significantly of the surveyor doing the work. Certain requirements were added above a standard Title 865 survey in to assist the offices that work with these splits, such as locating buildings for the Assessor, indicating septic information for the

Health Department, and including a floodplain statement for the Floodplain Administrator. These items also help a future buyer understand the property that they are considering purchasing.

The Subdivision Review Committee allows the surveyor to email these plats for a preliminary review in order to help expedite the process and reduce the number of revisions. In most cases, the preliminary review is done within a few days of receiving it, which allows the surveyor to make whatever changes are necessary and get signatures from his client so that it can be submitted to the Subdivision Review Committee for final review. This is usually done within a few days. When an individual contacts our office and expresses a need for the plat to be signed quickly we do the best we can to meet and get the plat signed (sometimes the same day that the plat is submitted).

Property Line Adjustments are even easier. A survey is submitted of the property being transferred with a note indicating that "X" amount of land is being transferred from this PIN to that PIN.

In all cases, my office prepares the filing application for the submittal, scans the plat after all signatures are made and gives the person who is recording the document a reduced copy (as is required by the Recorder's Office).

There are no fees collected by the county for this review or filing.

Ordinances are created to protect current and future citizens of the county. That was the purpose of the current ordinance and after three years of following this ordinance I can say without hesitation that numerous problems have been prevented. As with any ordinance, the Commissioners have the right to give exemptions to individuals who they deem are being wrongfully burdened. Personally, I believe that this makes more sense than gutting an ordinance that has been working well for the overwhelming majority of the citizens of Gibson County. I also believe that if the Commissioners get a call from a property owner that they should contact one of the members of the Subdivision Review Committee before jumping to conclusions. There may just be a misunderstanding or there may be a legal reason for our concerns.

In conclusion, the proposed language changes contain inconsistencies, confusion, and lack of clarity. The reduction of requirements will harm the citizens of Gibson County – though many of these problems may not be evident for years to come and after a property changes hands. As Gibson County Surveyor and a licensed land surveyor, I am recommending that this version of the ordinance be set aside and that the Subdivision Review Committee be consulted with about how to improve the existing ordinance. If the proposed ordinance is in fact adopted, I ask that you remove *County Surveyor* from the ordinance and replace it with County Engineer or any other appointed person who will accept the position because I will not volunteer to administer an ordinance that I feel will negatively affect Gibson County.

Thank you.

2. David Ginny from Barton Township – Prior to the Sub-Division Ordinance, he and a neighbor swapped some land. The deal did not go through until after the Ordinance was passed. He had to go to County Surveyor Stevenson for a list of things they had to have. Even though it has been stated that it won't cost any additional money, it did cost him \$713 extra in surveying costs. He believes almost any transfer of property is going to cost extra.
3. Joe Gilpatrick, Haubstadt Zoning Administrator – because of 2 mile radius of Haubstadt, and deals with splits within the County. Works with the Sub-Division Board and issues have been brought to light because of the Ordinance. He believes every split should be checked and Haubstadt has a 60,000 sq. foot area requirement for septic system. There may be needed changes but he feels that the Board has done a great job on this.
4. Fred Kuester stated again that they will review the proposed changes as well and will provide some feedback.
5. Don Grease, a licensed land surveyor with Kiesel Engineering in Evansville– he has done some minor sub-divisions in Gibson County and really you have a stream-lined process if you compare to any other adjoining Counties. He believes the Ordinances for other Counties are more stringent. He felt definition for Parcel Divisions should be added to the Ordinance. State statute contains about 70% of what is in the minor subdivision already, this is not a burden. If you don't have this, who is going to protect the public from bad real estate transfers? What is to prevent the property owner or the Attorney from just preparing a deed for a property transfer? What if it is in a flood plain? What if the septic won't work? Who is going to police that? You guys have a responsibility to protect the public on some of these things. He believes that more thought should be given to this. He believes that the County has taken some progressive steps but looks at this proposal as a step backwards.
6. Fred Kuester says that the Ordinance has its pluses but also had issues with properties in flood plains and the 2 mile radius of the City's limits. He feels that if you want to split your property you must jump through hoops.
7. President Bottoms states that the amended ordinance is the current Sub-Division Ordinance minus the minor sub-division. The Commissioners have had comments on both sides of this, no decisions have been made. People have complained to them, some of the complaints the Commissioners understand, some they don't. Some misconceptions and issues raised as a result of this ordinance.
8. John Howe, GIS Director and Commissioner's appointee to the Sub-Division Review Committee – he believes that the ordinance has been vital in improving our efficiency in the Courthouse when it come to the management of the land records. Considerably less in the number of corrections because they are being pro-active in this regard. There was considerable effort made when this document was drafted to make Gibson County friendly while working with our citizens and their surveyors to expedite the process.

9. Diane Hadley with the Assessor's Office – has been very beneficial to them, record keeping for the public improved, researching documents, surveys available, instruments in place, she can go back through the records and find the properties as well as clarification having these items in place. She and the Assessor's office feel this is good for our community.
10. Charlie Shoultz from Center Township – he has some property outside the town of Francisco and wants to know the process he needs to go through. The sub-division ordinance will come into place if they split the property.
11. The flood plain is defined/designated by the Federal Government.
12. Bruce Fisher – We have jobs we need people to live and build homes in Gibson County. It won't take long for people to find out that they aren't protected. Everyone needs to work together to make needed changes.

Commissioner Douglas made a motion to table this item until the December 29th, 2015 meeting. Seconded by Commissioner Bledsoe, with no further discussion, the motion carried 3-0.

New Business:

- Peabody Energy Bond Release for CR 1100 E, 1000 E, & 1050 E – Howard Keifer with Peabody states that several roads were closed last April. They would like to release these roads and give them back to the County. President Bottoms made a motion to release the bonds on CR 1100 E, 1000E and 1050 E, north of 900 S and the County will take them back. Commissioner Bledsoe seconded the motion but that this will go into effect January 1st, 2016 as that is when the bond is up. President Bottoms amended his motion to include the effective date of December 31st, 2015. With no further discussion, the motion carried 3-0.

Howard Keifer is asking for an extension on 850 for their haul trucks until 12/31/16. Next summer they would like to haul soil. Commissioner Bledsoe stated that he had spoken with Howard Keifer a few weeks ago and asked about getting the new 850 widened back to what they had agreed on and they have started putting base back on it. Commissioner Bledsoe states since they have begun the work, he will agree to the first one year extension until 12/31/16 and makes a motion to that effect. President Bottoms requests that they do not ask for any more extensions on the low water crossing and 850. The new 850 is bonded. Commissioner Douglas 2nd the motion. With no further discussion, the motion carried 3-0.

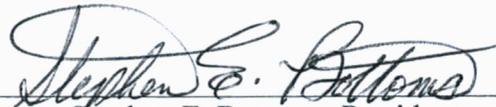
Howard Keifer requests CR 700 be pulled down on the map. Will request an extension on CR 700 at a future meeting. 1200 and 1100 will be discussed at a future meeting as well.

- Appointment to WRHCC Resolution – Commissioner Bledsoe makes a motion and would like to reappoint Bill Knowles, with Gerald Bledsoe as the alternate, seconded by Commissioner Douglas. With no further discussion, the Motion carried 3-0.
- Appointment Princeton Public Library, Commissioner Douglas makes a motion to appoint Mathew Wallace to a 4 year term, seconded by Commissioner Bledsoe. With no further discussion, the Motion carried 3-0.
- Commissioner's Meeting Dates 2016 include – January 5th and 19th; February 2nd and 16th; March 2nd and 15th; April 5th and 19th; May 4th and 17th; June 7th and 21st; July 5th and July 19th; August 2nd and 16th; September 6th and 20th; October 4th and 18th; November 1st and 15th; December 6th, 20th, 28th. Commissioner Bledsoe states that the evening meetings have been changed from 6:30 pm to 6:00 p.m. Commissioner Douglas made a motion to approve the meeting schedule, second by Commissioner Bledsoe. With no further discussion, the motion carried 3-0.
- Holidays for 2016 include January 1st; January 18th, March 25th, May 3rd, May 30th, July 4th, September 5th; October 10th; November 8th; 11th, 24th and 25th; December 23rd and 26th. President Bottoms made a motion to accept the State Holidays for 2016, seconded by Commissioner Bledsoe. With no further discussion, the motion carried 3-0.
- Treasurer's Office requests signed Letter of Authorization for Thomson Reuters to prepare the County Tax Statements for 2016. Pricing remained the same. Commissioner Douglas made a motion to approve/sign the Letter of Authorization, seconded by Commissioner Bledsoe. With no further discussion, the Motion carried 3-0.
- November Treasurer's Report – President Bottoms after review, made a motion to accept the Treasurer's Report, seconded by Commissioner Douglas. With no further discussion, the Motion carried 3-0.
- IVY Tech Update – Welding Lab has been completed. IVY Tech says thank you for all of the support. Spring semester enrollments as of this date are 66 and new semester starts January 11th. Brick Union has also been taking welding classes.
- EMS – Director Allen presented his November report including 357 runs. Collections of over \$108,000 for the month. Write-offs totaled \$60,285.00. Total collections for EMS is \$1,303,767.36 for the year. He would also like to thank the Commissioners for the equipment improvements through TIF monies. Medicare payment should be received in January, 2016. Commissioner Douglas made a motion to approve the November write-offs in the amount of \$60,285.00, seconded by Commissioner Bledsoe. With no further discussion, the Motion carried 3-0.
- Executive Meeting scheduled to conduct Job Interviews for the Highway Dept. vacancy on December 28th, 9:30 a.m. at the North Annex. Last meeting of the year will be December 29th, 2015.

- Norfolk Southern Railroad has requested a hearing with the Commissioner with regard to CR 150 E, south of Gibson County Coop and it is schedule for January 19th @ 6:00 p.m. during a regularly scheduled meeting.
- Charlie Shoultz from Center Township addressed the Commissioners regarding their plans for Gibson County for 2016. Wanted to know if the ditches around his home/fields could be cleaned out? CR 525 E is in need of millings and is very narrow. Expenditure Account for each road, do we have one? Policing of credit cards is thoroughly reviewed by the Auditor. Reimbursement of Road Bonds is reviewed carefully.

With no further business, Commissioner Bledsoe adjourned the meeting, seconded by Commissioner Douglas. Motion carried 3-0.

Minutes from the 12/15/15 Meeting.



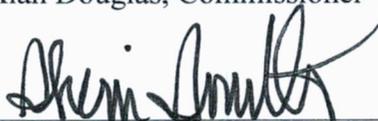
Stephen E. Bottoms, President



Gerald Bledsoe, Vice-President



Alan Douglas, Commissioner



ATTEST: Sherri Smith, Auditor

