
Gibson County Board of Commissioners
Regular Session
March 17th, 2015

The Gibson County Board of Commissioners met in Regular Session on March 17th, 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, and County Auditor Sherri Smith

Absent: County Attorney Jim McDonald and Administrative Assistant Kay Vore

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

Minutes:

The minutes from March 4th, 2015 meeting were read and approved through a motion by Commissioner Douglas and seconded by Commissioner Bledsoe. Motion carried 3-0.

Claims:

County General - \$152,277.45
Courts - \$3,077.81
Highway - \$74,011.18
Sheriff - \$28,896.90
Utilities - \$11,201.79
Payroll - \$281,809.59 – March 20, 2015

Commissioner Douglas made a motion to approve the claims and was seconded by Commissioner Bledsoe. Motion carried 3-0.

Department Reports:

No Department Reports were given.

Old Business:

- Odyssey Update – Commissioner Bottoms reported that the Odessy System for the Courts is going well. It is a computerized system coming from the State. It will end up saving the County over \$34,000 in fees per year and it is a user friendly system. The end of June is the goal for the in service date.

New Business:

- Michael Stevenson – Oakridge Estates Plat Section C
(Commissioners asked that this section be verbatim.)

County Surveyor Michael Stevenson stated that this was the Public Hearing for the Primary Plat for Oakridge Estates Major Subdivision Section C, this is located North of Hwy. 68 and West of 69. This Subdivision is thirteen lots and basically is an extension of Sections A & B in the same area. According to our Subdivision Ordinance, the subdivision review committee is required to send the Commissioners a letter of recommendation; we have done so; and in doing so we are also to schedule this meeting; and to notify a-joiners; and to put a newspaper ad, a notification in the newspaper. That has all been done. So we are here today to basically let you guys make a decision as to whether or not we move forward with this subdivision or not. Our letter to the Commissioners stated that we do believe that the Plat does now conform to the ordinance, with the following condition – that the right of way at the cul-de-sac is increased to a 50' radius. They had platted it at a 40' radius and our ordinance does require a 50' right of way. We also notified as according to the ordinance, the Fire Department, Sheriff Department, Health Department, help me out John, EMA, and Assessor's Office. Anyway all the people, interested parties, to let them know that this was there and to give them an opportunity to give written comment to us or to contact us, they also had the opportunity to speak tonight as well as the public will have the opportunity to speak to this one way or the other. I do want to, is anyone here from the Fire Department to discuss...I did speak with the Fire Department and they expressed concerns about fire hydrants. There are no fire hydrants proposed. However his research has told him that it would require a 6" water line to put in a fire hydrant. We do not currently have anything in the ordinance requiring fire hydrants. It may be something we want to address going forward but I am not sure that is something we could say to him, that is up to you guys obviously. Because they would have to essentially have to then run the northern portion up here where it is, they would have to run a 6" line all the way back through Sections A and B in order to hook into and I don't even know where a 6" line is, if there is one on 68 or not. So I don't know that that is feasible. That being said, that was something they were concerned about. I spoke with a couple of Engineers in Evansville and they said that in Evansville, Vanderburgh, Warrick County they require one be every 600'. Again probably not something you can address on this sub-division but it might be something we want to address in the ordinance going forward uhm for fire protection. The other thing they were concerned with was the size of the cul-de-sac to make sure that the actual surface material inside the cul-de-sac was large enough for them to get turned around. He didn't have a number for me as far as what size to put in so I did some research and found that 60' of material is what most counties require when they don't have curb and gutter. Uhm it gets bigger than that if they have curb and gutter but basically you can assume then that the firetruck can get turned around and get outside of the road if they have to. So I would suggest making requiring them to put on their Platt that the surface area inside the cul-de-sac be graveled at a minimum of 60' diameter uhm let's see. I did get a phone call, this has been approved by the drainage board for drainage. A couple of days after the drainage board meeting, I did get a phone call from

the property owner to the East, Dan Bittner. He had received a letter, he was concerned about the drainage into his pond and whether or not this would adversely affect his pond? I suggested first off that he come tonight and I don't believe he is here tonight. Uhm but he said that he was going to talk to Mr. Schillinger and to get more detail about it. I spoke to Mr. Schillinger a few minutes ago and he did in fact speak with him and they are prepared to speak on that today uhm to address those concerns so again whether you all feel that's acceptable or not that's going to be up to you tonight as well. Uhm lastly there is a minor change that needs to take place, it's really outside the approval of this I want to mention it prior to the approval and then I will have to mention it once the approval has taken place we will do this after. But there is a small section of the road where he is pointing out to you right now that is in Section B of Oakridge Estates and that is named Red Bud Lane. Now Red Bud Lane is also the name of a road on the south side of 68, uhm we require that they change the name from Red Bud Lane to and they chose the name of White Oak Lane. So what we would request is that little stub be officially change in the Commissioner's record to White Oak Lane so it is all contiguous. It doesn't have any addresses on it currently and so it is not going to negatively affect anybody it is just to make it all one contiguous road. Uhm Again that doesn't need to take place in this except that once you all make this change we would ask that they change it on their Platt to uh reflect that it is now all going to be White Oak Lane all the way through per this meeting. With that being said I know that Mr. Schellinger has said that he would like to speak on behalf of the drainage concern uh and I guess I can let them do that and if you guys would like to open it up for comment to the public and then again I have what your options are as Commissioners for this ordinance.

Craig Kuester with Kuester Engineering doing surveying work and Carl Schellinger Jr. owner and developer. Here are some small drawings, believe they are legible, there are 13 lots. They range from 1.18 acres to 1.8 acre they are all wooded lots. It is fairly rolling property in that area. It has good drainage. Really the only thing, I kinda consider this final draft of it, that 50' that Michael had spoke about has been changed on this Platt. If you look at that cul-de-sac on the north end we changed that.

Commissioner Bledsoe - What about the name change?

Surveyor Stevenson - It is not changed until you make the change.

Commissioner Douglas - is that feasible to change the name?

President Bottoms - now again is the road right of way 50' also?

Yes. I see that here but I don't, you are saying this road is 50'.

Craig Kuester - Yes. Yes. It is 50'.

Commissioner Bledsoe - What about changing the cul-de-sac?

Mr. Schellinger - I spoke with Dan. Dan Bitner called me the other evening and asked about the water that was gonna come down this ???? drainage. I told him what we had planned to do. We've got some drawing of a of a retention type deal with a rip rap put in there strictly to hold water.

Commissioner Douglas - I seen that in there.

Mr. Schellinger - above the drain pipe and below the road drain pipe and he said he was fine with that and he was not coming tonight and that he and I if we had to we could work it out and I assured him that we would do what we said we would do in the drawing and with whatever Craig has got here. I don't know if you have a cross section of those

Craig said that he did not think he brought those with him. Here is what the check dam here is the detail and a cross section of it.

Mr. Schellinger has talked with Alan Wilke, the gentlemen that is doing the work there. He said that it would be no problem to put those in.

President Bottoms said they were talking about the fire issue and there is a lake there.

Mr. Schellinger - that it is a good sized lake, it is probably an 18 to 20 acre lake.

Commissioner Douglas – but it is on Mr. Bittner’s property?

Mr. Schellinger – Yes Sir.

Commissioner Douglas - Have you addressed to him so far as the possibility if there would be a fire if it was ok to draw from that beingst there is no fire hydrants

Mr. Schellinger – I have not but I will.

Commissioner Douglas – Well I think it would be good to have that agreement of some sort drawn black and white because that will be the most accessible for fire prevention.

Due to the fact that your line out there is only 3” not 6. Six is almost going to be prohibitive.

Commissioner Bottoms – Who provides the water out there? Pike Gibson?

Mr. Schellinger – No, it is Gibson Water from Haubstadt.

Commissioner Bledsoe – What about the fire truck turnaround? Are you going to be able to accommodate the 60’?

Mr. Schellinger – Oh yeah, that shouldn’t be a problem it’s back there on a big level spot back there on the top of the hill and there shouldn’t be a bit of a problem to put 60’ in there for the firetruck.

President Bottoms – We appreciate you working through these changes and getting through this process.

Commissioner Bledsoe - “So Michael are you satisfied with everything?

Surveyor Stevenson said “I, it sounds like they, yeah have answered the questions and been willing to accept the minor changes that we have talked about. Again I feel like you need to make sure there is no other comment from the floor as far as I am concerned I am good.

President Bottoms - Do we have any comments from the floor concerning this Oak Ridge Estate Major Subdivision Section C? Any other comments from the floor?

Homeowner - Yeah. I got a couple of questions. Ok. Two questions we have is when are you guys proposing putting rock in that valley going up the hill to the subdivision?

Mr. Schillinger – When we get this approved and get it recorded as soon as the weather opens up Alan Wilke’s gonna go in in there and put in the rock and start the road. We have a gentlemen to the left

President Bottoms – “Where’s this at? John can you show us on the map where he is talking about”

John Howe - Here is the road heading into the subdivision.

Homeowner - Right there where he is pointing, at the spillway, the valley right there.

Going up that hill is all dirt right now and washing away down toward Dan’s spillway.

They’ve been doing work and I live right on that road right there and I am going to get all the mud, all the mess.

President Bottoms - What about erosion control, you've got to have erosion control.

Mr. Schellinger - They haven't done a thing out there for 5 months, there hasn't been a truck in and out on that road for five months.

Homeowner - For 5 months but when they were there was a lot of dirt up and down that road so it has just been a mess. But uh also a couple more questions I got, at the front the entrance of Section A, you know your first two corners do you not are you proposing widening those corners because they are so sharp all those big heavy duty trucks coming in and out are going through ???? yard. And you know whenever I did construction I had to move these boulders on the corners so you don't go in the yard. Well everybody that was coming through made me move the rocks because there was worried about their tires getting damaged and I don't think those corners are near wide enough, they are 90 degree turns.

Mr. Schellinger - The boulders have been there for 14 years and they've built 25 houses out there and this is the first that he has heard of it. They hauled product in and product out.

President Bottoms - that is your road not the Counties, that's your road?

"Right, exactly" said Mr. Schellinger.

President Bottoms - So if there's any damage as far as the roads?

Homeowner - Right and one more question. Are you proposing putting the final coat on Section A and B? ???? subdivision and road.

Mr. Schellinger - No Decisions be made on that at this point and time. It's a blacktop road with 3" of blacktop with all of the under work that needed to be done by Rudolph Brothers. There are no holes in it. I don't know when we will do that. Some day it will happen, but not in the next year or so I don't think. But the road is smooth, do you know of any holes that need to be patched?

Homeowner - No it was just cracking up. Its gonna get bad I say, whenever they come through and do that final 13 lots on that road and all of the heavy duty construction equipment comes through it is gonna tear up that road pretty good.

Mr. Schellinger - There again that road has been there for 13-15 years and they've built 25 houses back there and it still seems to be in pretty good shape to my notion.

Homeowner - And it probably will be but I say in 2-5 years It will need it.

President Bottoms - whenever it comes to erosion, there are rules to that it's not our rules but I am just saying that if that becomes a real issue that can be addressed.

Homeowner - Who would we go to address that? The DNR?

County Engineer - IDEM.

Homeowner - Dan Bittner would have more of an issue with it because it would be eroding onto his property anyways.

County Engineer - they have an application with IDEM.

Mr. Schellinger - There is not a spillway there are you refer to it. There is not a spillway on Dan's property over there. What there is is a pipe. A 36" or 48" pipe that comes off from the south the water that drains into Dan's lake and from that spot to the base of the hill is probably 75 yards and that's the area your talking about wanting rocked and it will be rocked whenever we get this whole thing in motion, get it recorded and move forward and uh.

President Bottoms - it is not going to be to their benefit for the road to

Mr. Schellinger – We have to get it done because the gentlemen, you don't have his drawing up there, but he is going to start construction off to the south. When you go up the road, if you can give me a bigger picture, just south of the purple line on the screen down the yellow line back up the purple line is about 6 acres and that gentlemen is going to start construction in 6-8 weeks. His name is JD Syracuse. He has asked when we are going to have the electric and the water in and I told him it would not be until we got this all settled and then I got the water coming in, inspected and ready to go.

Commissioner Douglas – so the work there is just an individual doing something on his own?

Mr. Schellinger - Yes. These people bought that piece of property and they are going to build a house on that piece of property. But he is going to use our road to access his property. That was part of our agreement. That road is going to be available to him to use and access that six acres.

Mr. Schellinger and Commissioner Douglas - To clarify, it is at the end of Section C and is not part of the Subdivision.

Commissioner Douglas - Nothing he will do will hinder and or be erodible.

Mr. Schellinger – everything Mr. Syracuse is doing will be south and the land levels out.

Commissioner Douglas – Concerned about additional drainage that could from the other guy.

Schellinger – that property all drains south to the little ditch east of it.

President Bottoms – back to your questions, we have to go relevant to what we are permitting here and you have valid, some interesting issues. One again if there is a problem, IDEM and they do have a permit there. Is there anything else you can ask us about or any problem that you have per our permitting, our process? Because I think you are going to get this worked out.

Mr. Schellinger – it behooves us to get it going because I've got people wanting to buy lots.

President Bottoms - asked if anybody else has any comments concerning and have we answered your questions?

Homeowner – Sure.

County Engineer - they have a permit application declared it is not a permit. It is not a permitted site yet. It is just an application.

President Bottoms – Ok. Thank you. Does anyone else have any questions per the Oak Ridge?

Surveyor Stevenson says – I should comment to that they did provide covenants and restrictions for what they did for Sections A and B and I am assuming they will be using the same covenants and restrictions for Section C. When you look at that language, the people inside of this subdivision will automatically be added into the homeowner's association which then means they are involved in the future maintenance of the entire road, correct?

Mr. Schellinger – Uh huh.

Surveyor Stevenson - Ok. I do want to clear that as well so they will be involved in the maintenance of the road all the way through Sections B and A as well.

President Bottoms – so if there is a problem, they could bring it before the association.

President Bottoms – any other questions per Oak Ridge Estates for Subdivision Section C? Any other Comments?

Commissioner Bledsoe made a motion to go ahead and allow this.

Surveyor Stevenson – Before you do can I just say uhm I ask that you put this with the contingency that they do make the changes on the Platt that we have discussed.

Commissioner Bledsoe – You are going to police that?

Surveyor Stevenson – Yeah I mean it shouldn't be a problem. We'll see it before they make the final uhm but yow we'll be in good shape.

Commissioner Bledsoe – I stand with my motion.

President Bottoms – OK.

Commissioner Douglas – and I'll 2nd the motion contingent to Michael's final approval with the contingencies of these changes.

President Bottoms – Ok Mr. Bledsoe Commissioner Bledsoe made the motion to approve and Commissioner Douglas 2nd the motion. Any other comments, additions corrections?

Mr. Schellinger - asked that they give them the specific changes at this point.

Surveyor Stevenson – 60" foot of road surface in the cul-de-sac.

President Bottoms - This needs to be put in the minutes.

Surveyor Stevenson - Uhm 60' diameter of road surface inside the cul-de-sac. Uhm once the change is made calling this approval to correct change the name of the road in Section B also to be changed to White Oak Lane.

Commissioner Douglas – and we are for sure that we have 50' right of ways?

Surveyor Stevenson – Yes and assuming that you do have the 50' right of way at the cul-de-sac. 50' radius right of way at the cul-de-sac.

Too many people talking at one time to make sense out of what was being said.

President Bottoms – Any questions on that gentlemen?

Commissioner Douglas – Basically though there is nothing on that we would need in our translating about the uh him checking with Mr. Bittner about the using from the pond itself, for fire prevention.

Surveyor Stevenson – I would think that would be private issue

Commissioner Douglas - that's right that something they've got to work out but I think it something that you should address.

President Bottoms – we do have a motion on the floor from Commissioner Bledsoe and 2nd by Commissioner Douglas, again any other comments, corrections, additions? If not all those in favor vote by saying "I". Passed 3-0.

President Bottoms – ok I think we should go ahead and take care of this road issue and since the attorney is not here I believe we should be able to make a motion to change the name of that section.

John Howe – I just wanted to point out he has pulled up the section of Oak Ridge the replat of Oak Ridge Estates Subdivision Section B that is where Red Bud Lane originated from right so because it was already platted they originally intended to carry that name forward. It was discussion with Chris Labelle sheriff's office that handles the addressing for the 911 that was already listed in 911. That because red bud lane existed with homeowners already addressed on it down here that was the genesis of why White Oak was and I thought you should make a motion mentioning the re-plat of Oak Ridge Estates section B is what really officially named it originally.

President Bottoms – is there anybody that lives on this section that we are talking about changing?

Homeowner - Yes I do.

John Howe - Is your address Oak Ridge Estates?

Homeowner - It is Oak Ridge Estates but the mailman let me put my mailbox on Red Bud Lane.

President Bottoms – What is your actual address?

Homeowner – 10655 South Oak Ridge Estates. Instead of going into the cul-de-sac ????? they said I didn't have to put it on that road right there to the right down that road.

President Bottoms – see it is not going to change your address?

Homeowner – No

Commissioner Douglas – but within your address it's not going to say Red Bud right now that is what you are saying?

President Bottoms - Ok so it is not gonna change. Contingent upon our attorney and given the proper data.

Commissioner Bledsoe – Yeah, I make a motion.

Surveyor Stevenson – I did speak to him earlier and he did not seem to have a problem.

Commissioner Douglas – I second the motion.

President Bottoms – We have a motion, do you understand the motion?

Auditor Smith said no.

President Bottoms - Change Red Bud Lane this one portion to White Oak Lane in Section B.

Commissioner Douglas – Section B to run through Section C as White Oak Lane.

President Bottoms – The reasoning behind it is that there is another place that's got that. I don't think it is going to affect you at all because the name is going to change but not your address doesn't change.

Homeowner – No.

President Bottoms – We have a motion on the floor and a 2nd. Is there any other corrections, additions any comments? If not all those in favor say Aye – Motion carried 3-0.

Surveyor Stevenson – One final thing if I may just state to give you guys (meaning the developer) a little information the preliminary Platt has now been approved so now you have the ability to go and do construction. When the final Platt is recorded that is when you can begin transferring lots. Uhm if you decide that you want to transfer lots in advance of the construction you can put up a bond for the road and that sort of thing for the County. But if you want to go ahead and put the road in advance then you can just do without a bond.

County Engineer - Once you get your state permit.

County Surveyor – Once you get your state permit.

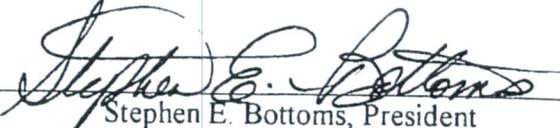
President Bottoms – Ok. Ok.

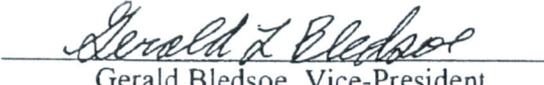
- Lowry Company – Request permission to bury electric line – Commissioner Douglas made a motion to allow Andy Lowry to bury his line for WIN Energy, for use in his

cattle operation, in the County Right of Way on CR 450S, seconded by Commissioner Bledsoe. Motion carried 3-0.

- Highway Superintendent Chuck Lewis gave a report of the road conditions in the County. He complimented the Highway employees on the work done in keeping the roads cleared from the snow and debris.
- Sheriff Tim Bottoms presented the Annual Report for the Gibson County Jail. He also stated that the County Council has given permission to replace a Deputy Sheriff Vehicle damaged in an accident. The Insurance check has been received.
- EMS Director Jim Allen spoke to the Commissioners concerning the medical reimbursements from the government.
- County Resident Charles Schultz asked the Commissioners if there is a written plan for the County for 2015. Commissioner Bottoms stated that there is no written plan, but that several things are in the planning stages for the County.

With no further business, Commissioner Douglas made a motion to adjourn the meeting, seconded by Commissioner Bledsoe. Motion carried 3-0.


Stephen E. Bottoms, President


Gerald Bledsoe, Vice-President


Alan Douglas, Commissioner


ATTEST: Sherri Smith, Auditor