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Gibson County Board of Commissioners  
Regular Session  
April 7<sup>th</sup>, 2015

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The Gibson County Board of Commissioners met in Regular Session on April 7th, 2015, at 8:00 AM at the North Annex Meeting Room.

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

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

**Minutes:** The minutes from the March 17<sup>th</sup>, 2015 Regular Session and April 2<sup>nd</sup>, 2015 Executive Session were read and approved through a motion by Commissioner Bledsoe and seconded by Commissioner Douglas. Motion carried 3-0.

**Claims:**

- County General - \$173,805.89
- Courts - \$10,701.20
- Highway - \$127,846.53
- Sheriff - \$43,344.75
- Utilities - \$5,743.61 and \$17,733.31
- Payroll - \$270,128.51 – April 3, 2015

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

**Department Reports:**

Commissioner Bottoms has reviewed a copy of the Veteran’s Service Officer’s monthly report. Mr. Wright was not in attendance at the meeting.

Weights and Measures Inspector Gary Dawson presented the monthly report. No major problems to report.

Commissioner Bottoms stated that the Highway Superintendent was at the Peabody project on 850S.

Highway Engineer John Umpleby stated that a bridge will be repaired in Northbrook Hills sometime next week. The County and the City of Princeton have been preparing through meetings with Emergency Personnel and other businesses for the closing of this road, which is the entrance to Northbrook Hills. Northbrook Hills is located in the City of Princeton, but the

culvert to be replaced is over 36", so the County is responsible for replacement of the bridge. Commissioner Douglas has spent many hours preparing for the closing.

Health – No Report

Safety Director Andy Schafer is working on elevator problems at the Courthouse.

EMA Deputy Director Stephanie McKinney stated that they have issued eight Flood Plain permits out of eleven inquiries.

EMS Director Jim Allen presented the monthly report. Commissioner Douglas made a motion to approve a major medical leave for the EMS Department seconded by Commissioner Bledsoe. Motion carried 3-0. Commissioner Douglas made a motion to approve write offs for EMA in the amount of \$93,766.07, seconded by Commissioner Bledsoe. Motion carried 3-0.

Sheriff Tim Bottoms presented the monthly reports. Sheriff Bottoms asked the Commissioners if it would be possible to use an area near the County Garage for garden space for the Sheriff's Department. Deputy Baize and Commissioner Douglas will check with Chuck Lewis at the Highway Department about this. Sheriff Bottoms asked if there had been any response from the railroad about the blocked crossings. Attorney McDonald stated that there has been no response. Sheriff Bottoms also asked about taking care of the rust problem in the Work Release Center. Commissioner Bottoms stated that he has quotes ready for the Council, to see if they will vote to pay for the repairs and where it will be paid from. Also, Commissioner Bledsoe asked the Sheriff's Department to do a speed limit check on CR 1100 E north of 700 S.

Extension Office Agent Hans Schmitz stated that Andrea Kohlmeyer has resigned. They are working to fill that position before fair time.

Animal Services – no information presented at this time.

### **Old Business:**

- Bids for Bridge # 16 – The County Attorney opened bids for Bridge #16. Included were: D.K. Parker Company - \$169,950.00 - CLR Inc. - \$204,727 without credits and \$191,607 with credits. Commissioner Douglas made a motion to take the bids under advisement and refer to the County Engineer for recommendation, seconded by Commissioner Bledsoe. Motion carried 3-0. The decision will be made at the next Commissioners meeting.
- Gibson County Park – President Bottoms stated that there are representatives from the Gibson County Parks Board as well as Richard and Gwen Hopkins, representing the Hopkins Family Park. Mr. Hopkins addressed the Commissioners – Gwen and I are ready to donate the first parcel of 40 acres to the County for the Hopkins Family Park at this time. President Bottoms states that this is something they have been working on for quite some time and we are taken back by their generosity of Mr. and Mrs. Hopkins. There is a potential of a 200 acre park but we are taken this piece meal. There has been a

lot of work by the County Parks Board. If you look at the screen you will see approximately where we are at and we need a motion to move forward on this.

Commissioner Bledsoe made a motion (clarified by County Attorney) to accept the generous offer of 40 acres from the Richard and Gwen Hopkins Family Trust concerning the donation of ground; 2<sup>nd</sup> part of the motion includes authorization of expenditure of funds for closing costs, title insurance, attorney fees in getting this matter closed; 3<sup>rd</sup> part of the motion allows Commissioner President Bottoms to attend the closing and sign all closing documents. There are some conditions with that - the donation has to be documented in the closing documents and the deed. The motion was seconded by Commissioner Douglas. With no further discussion, Motion carried 3-0.

All of the Commissioners thanked the Hopkins Family for the generous donation. Commissioner Bottoms stated that the Parks Board members have put in a lot of hours on this project. The Gibson County Economic Development has helped on some of the costs associated with this project. Commissioner Douglas stated that He, Commissioner Bledsoe, Jim McDonald, and Todd Mosby met with the Lieutenant Governor of Indiana and she was very excited of the possibility of the park so close to I69 and appreciate what you are doing for Gibson County. There have been many groups, organizations, and individuals working on this project also. Attorney Jim McDonald stated that the Gibson County Community Foundation has set up an account for donations for the Hopkins Family Park. Possibly by September or October, there may be a walking trail and a shelter house.

- Oakridge Subdivision – Engineer Fred Kuester and Oak Ridge Estates owner Mr. Schillinger were in attendance at the meeting to ask the Commissioners to get final approval of the plat of Oak Ridge Estates Subdivision Section C. Changes included the road name changed from Red Bud to White Oak and widening the cul-de-sac to 50' radius and we have made those changes.

Surveyor Stevenson stated that a copy of this Platt was dropped off at his office for review. He also understood that they were going to ask for an exception. The final Platt they have to write a recommendation before you make a decision and a date for that hearing before the final Platt. So today is not the final Platt hearing. Today is the hearing on the exception.

Commissioner Bledsoe asked the County Attorney if they could waive the exception.

Surveyor Stevenson - The exception being a performance guarantee.

County Attorney, can we bring the public up to date – the issue is the road.

Surveyor Stevenson states that the Subdivision Ordinance states that once the developer get their primary Platt completed, they then have the option to build the roads, build the infrastructure for the property and then they can take a completion affidavit to the Commissioners and the Subdivision Review Committee along with the final Platt and

submit it. Once this is approved and recorded they can then sub-divide the property. There is a way to get around the development of the roads and that is to put up a line of credit which the Commissioners would have access to if the developer were to back out and sell the property. Once they complete the road, they would receive a completion affidavit or instead of building the road they would obtain a line of credit.

County Attorney – The 3<sup>rd</sup> option would be to do a variance and waive that requirement under your ordinance.

Mr. Schellinger stated that it is his request that the Commissioners waive that requirement. It is on page 25 of the Ordinance, E5 and E6. It is final Platt approval prerequisite and performance guarantee. He would understand if this was a road that the Commissioners would someday have to maintain, but this is a road that they as a subdivision will have to continue to own. As homes are built, the road will become the responsibility of the homeowner association members. He is trying to get to the point where he can start selling lots. He missed out on selling 2-3 lots because he feels like we are going in this circle all the time. He feels like once an issue is resolved, another issue comes up and so on. In the Ordinance it says, Article 1, General provisions, it says purpose and it says the purpose and intent of these regulations is to serve as a guideline. Because of that he felt that the Commissioners could waive this guarantee and those things in order to get the Platt signed, get it recorded and move on. He cannot even get Vectren to come out there until after it is a recorded Subdivision. So it is continually backed up. They have people that want to buy lots and can't because we are in this catch 22.

County Attorney – The request is to do the exception for the performance guarantee on the road. The way he looks at the Ordinance if you do that then you still have the Surveyor to look at the final Platt because the Surveyor has to sign off on it. You can do a conditional final Platt approval if you had some other conditions that you wanted to put on the Platt. Some of the conditions have already been done, the cul-de-sac, drainage issues, erosion regulations and control.

Engineer Kuester – Rule 5, they have received a letter back from Soil Conservation and the notice has been sent to IDEM. They have not received a response.

President Bottoms states that the surveyor's signature is not required. The Surveyor signs on behalf of the drainage board. The Commissioners signatures are required on the final Platt. He also stated that the Commissioners did not know that he could not sell any of the lots until the Platt was recorded as a subdivision.

Engineer Kuester commented about subdivisions in Warrick and Vanderburg Counties as they were referenced earlier.

Commissioner Bledsoe made a motion to waive the performance bond on the road for the Oak Ridge Subdivision, and sign off on the Subdivision, seconded by Commissioner Douglas.

Discussion - Surveyor Michael Stevenson wanted it noted that the recommendation of the subdivision review committee was to deny the waiving of the road conditions. He asked that this be added to the minutes.

Motion carried 3-0.

County Attorney – According to the Ordinance, 15 days prior to the next regular meeting, the final Platt has to go to the Surveyor for final Platt approval. Now we have an exception granting this final Platt with the exception of the road performance bond. Now that is done, 15 days prior to the next meeting, which is today at the Surveyor office and then at the next meeting is the final Platt approval. The next meeting is the 21<sup>st</sup> and that is 14 days not 15.

Surveyor Stevenson stated that he has already received the paperwork.

Commissioner Douglas made a motion to waive the fifteen days status of the Ordinance to fourteen days and present it April 21<sup>st</sup> for final Platt approval, seconded by Commissioner Bledsoe.

Discussion - Engineer Kuester requested that the words “final Platt approval” be included in the minutes/motion.

Surveyor Stevenson stated that as far as he is concerned it sounds like you guys are already in favor of it and you might as well approve it. President Bottoms agreed. Surveyor Stevenson stated that he has seen the map. Engineer Kuester has the original that the Commissioners can sign.

Above motion by Commissioner Douglas was never voted on.

Commissioner Douglas made a motion to approve the final on the plat for the Oak Ridge Estate Subdivision Section C and they will sign it here today, (Surveyor Stevenson states that the Commissioners are approving this without the recommendation of the subdivision review committee), seconded by Commissioner Bledsoe.

With no further discussion, Motion carried 3-0.

### **New Business:**

- 850 S Detour – Peabody Coal Mine – Commissioner Bottoms stated that they are aware of some problems at the detour on 850 S. The problems are being addressed.

Commissioner Bottoms stated that there is a copy of the Animal Shelter’s monthly report on file in the Commissioners Administrative Assistant’s office.

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

Minutes from April 7<sup>th</sup>, 2015.

  
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Stephen E. Bottoms, President

  
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Gerald Bledsoe, Vice-President

  
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Alan Douglas, Commissioner

  
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ATTEST: Sherri Smith, Auditor