

DEKALB COUNTY COMMISSIONERS' MEETING

June 7, 2021

Commissioners Present: President William L. Hartman
Vice President Michael Watson
Vice President Todd Sanderson

Others Present: Auditor Jan Bauman

Absent: Attorney James P McCanna – ATTENDED BY PHONE

MATTER OF CLAIMS

Michael Watson made the motion to approve Payroll and Bookkeeping Claims for the month of May, Special Claims for the week of June 1st, and General Claims consisting of warrant #132017 through 132065 in the amount of \$522,115.68, and wire transfer #18097 through 18190 in the amount of \$703,300.10. Todd Sanderson seconded, and all approved.

MATTER OF MINUTES

Michael Watson made the motion to approve the minutes from May 24, 2021. Williams Hartman seconded, and all approved. Commissioners Sanderson abstained due to his absence last week.

MATTER OF PAYROLL

Todd Sanderson made a motion to approve payroll for the period May 9-22, 2021. Michael Watson seconded, and all approved.

MATTER OF HIGHWAY

The current Highway property's underground gas tank leak from several years ago has been in the process of remediation, and it is just about complete. It appears as though there are higher levels of benzene in one area of the property. The new owner will not be able to build on that part of the property. But, there is no risk to human health or the environment due to remediation efforts. Mr. Parker distributed a revised Environmental Restrictive Covenant for the Commissioners and Attorney McCanna to review. Any use that the City of Auburn has said they plan for the property are permissible. It will not impact the agreement we have with the City of Auburn. Attorney McCanna is trying to reach out to the City's attorney so they are aware of the restrictions on that portion of the property.

DeKalb Central Schools have begun to install the new crosswalks on County Road 427. The Highway has taken many loads of fill dirt to them for the project. The Highway is responsible for installing signs. The prior Commissioners had agreed to pay for the signs out of the ADA account with the LITED fund. We are not required to light them. There are solar signs available, however.

Mr. Parker explained how he uses driveway site distance standards when issuing driveway permits. The standards change over time, however. He thinks that the driveway permits should have an expiration date if a driveway is not installed during a certain period of time.

MATTER OF PROPERTY OWNER TODD LAND DRIVEWAY ISSUE

Todd Land of 9611 Blackstone Court, Leo, came to discuss a driveway issue he has on his County Road 51 property. He would like to build a barn on the property. He is not able to put a driveway in the location where he believes it was approved by the Plan Commission when his site plan for a pond was approved.

Ben Parker was present during the Commissioners' meeting and explained the background of the issue. On September 9, 2011 Mr. Land was given Permit #1327 by the former Highway Superintendent for a driveway on the north end of the property. This permit was signed by both the Highway Superintendent and Mr. Land. Then in 2012, Mr. Land submitted a development plan for a pond on the property, and it was approved. The site plan showed a driveway on the south side of the property. However, the Plan Commission does not approve driveways. It only approved the placement of the pond. Mr. Parker believes this is where some of the confusion has come from. Mr. Land disagrees that there ever was an expectation to put a driveway in where the permit says it would be located, which is 20' from the north boundary line. Mr. Parker said that even where the driveway is permitted to be on the north end of the property is short for site distance standards.

Chad Walton, owner of neighboring property, was present and explained prior conversations he has had with Mr. Land. President Hartman then asked Mr. Walton if he would be willing to sell a portion of his property to Mr. Land or give him an easement. Mr. Walton said he has talked with his wife about these options, and they just won't work for what they want to do with their property.

Mr. Parker explained that in order to meet the site distance, Mr. Land would have to be 21 feet into Mr. Walton's property. Can the pond be moved? Is shaving the road down an option? Who would do the work? Commissioner Watson said he does not like the idea of taxpayer money being used to correct the problem.

Commissioner Sanderson said that he believes the original terms of the driveway permit need to be honored. Any workaround to the issue should also be according to the original terms of the permit.

Liability is an issue if someone gets hurt because of a poorly located driveway. If Mr. Land is allowed to have a driveway in a location that does not meet site distance standards, would that be setting a precedent?

Mr. Land asked if the Commissioners would be willing to go to his property to see it for themselves. President Hartman already has. Commissioner Sanderson agreed to take a look. No action was taken.

MATTER OF MOTOROLA RADIO PROJECT

Mr. Humbarger said that Central Communications has been using the new radios for 6 weeks now. They are happy with the performance of the radios. The only piece that has not come to fruition yet is the completion of the cellular backup link. DeKalb County is the "test bunny" for this link. If it does not work out, we are not out any money. If it does work, we will be the model County. Once the link is up and running, the cost will be \$100 per month, which Mr. Humbarger said he could find in the budget.

MATTER OF NEW CODE COMPLIANCE OFFICIAL

Chris Gaumer introduced Paul White Jr. as the new Code Compliance Official. He lives in Auburn and is a firefighter for the City of Auburn. There was discussion about some sites that would be considered unsafe structures in the County. Because this is a new position, processes will need to be established.

Mr. White knows someone who does this type of work for Kendallville and would be a helpful resource. President Hartman also said the person in Waterloo is willing to help.

MATTER OF TRAVEL REQUESTS

Todd Sanderson made a motion to approve the following travel requests as presented:

- 1) Joni Humbarger and Sandra Wilcox (Treasurer) to travel to Fort Wayne August 10-12 for the Treasurer Conference. Estimated cost of \$530 to be paid from State Called Meetings.
- 2) Elysia Rodgers (Extension) to travel to Cutler June 11-12 for the Northern Indiana Grazing School. Estimated cost of \$205.44 to be paid from department travel.
- 3) Leta Hullinger and Deborah Teifert (Recorder) to travel to Plymouth for the NE/NW District County Records Meeting on June 22. Estimated cost of \$141.12 to be paid from the County Elected Officials Training Fund.
- 4) Brady Thomas (Sheriff) to travel to Indianapolis June 10-12 for the Indiana Coroners Conference. Estimated cost of \$346 to be paid from Commissioners' travel.

Michael Watson seconded, and all approved.

MATTER OF ADDITIONAL FLOORING FOR THE COVERED BRIDGE

Todd Sanderson made a motion to pay the additional ~\$3,000 for flooring for the covered bridge, and to pay for it out of LITED #58. Michael Watson seconded, and all approved. This is for part of the subflooring that needed to be replaced that wasn't part of the original bid package with Zachrich.

MATTER OF OTHER DISCUSSION

Other discussion topics included: Ben Krafft property; Rescue Committee members; Rescue Committee meetings being subject to the Open Door Law; Bar association dues for judges; grinding down a cement square on the west courthouse sidewalk because it has worked its way up; and wrapping up covered bridge guardrail costs.

William L. Hartman – President

Michael Watson – Vice President

Todd Sanderson – Vice President

Attest:

Jan Bauman, Auditor