

COMMISSIONER'S MEETING
August 1, 2011

The Bartholomew County Commissioners met in regular session on August 1, 2011 in the Governmental Office Building, 440 Third Street, Columbus, Indiana. Chairman Carl Lienhoop called the meeting to order at 10:00 am. Commissioner Paul Franke, Commissioner Larry Kleinhenz, Auditor Barbara J. Hackman, and County Attorney J. Grant Tucker were also in attendance. Auditor's Office Department Supervisor Catherine Greenlee gave the Invocation and led the Pledge of Allegiance.

Next, the minutes of the July 25, 2011 meeting were approved unanimously on a motion by Commissioner Kleinhenz and seconded by Commissioner Franke.

The Voucher Claims were presented for approval. Commissioner Franke made a motion to approve the Voucher Claims. Commissioner Kleinhenz seconded the motion that passed unanimously.

Next, Chairman Lienhoop read the New Permits Report from 7/25/2011 to 7/29/2011. Forty-two permits were issued with a fee amount of \$5,729.41 and a valuation amount of \$2,952,412.00. During the month of July 2011, the fee amount collected was \$28,936.41.

County Highway Engineer Danny Hollander presented the Commissioners with the Weekly Crew Report. Last week, the Highway Crew mowed in Harrison and Clifty Townships, patched roads, ditched on 850 East, 750 East, 400 East, and 200 North, placed pipes on 750 East and 400 South, swept roads in preparation to chip and seal,

chipped and sealed in Clay, Hawcreek, Flatrock, and German townships, worked on signs, and picked up some abandoned tires. Milestone paved on 100 South.

Bartholomew County resident, Ms. Reta Wetherald, asked the Commissioners why the new ditch on 200 North was not dug so the water would drain to the west. Engineer Hollander mentioned that the ditch was dug from the road to the culvert to keep the water off the road. Ms. Wetherald said the area where the water has been ditched to is where the water crosses the roadway and floods. Commissioner Kleinhenz asked Engineer Hollander to look at the issue.

The MS4 Operator Stormwater monthly report was not ready and will be presented at a future Commissioner's meeting. Chairman Lienhoop mentioned that he and Engineer Hollander had a MS4 Audit for Bartholomew County. The audit went well, but the County needs to do a better job maintaining the paperwork required for the Stormwater reports and needs to make more of an effort to achieve compliance. Also, more tax dollars will go to achieving compliance with IDEM for Stormwater to avoid hefty daily fines for Bartholomew County.

Next, Planning Director Jeff Bergman was present for the second reading for the consideration of an **Ordinance Amending the Major Subdivision Concept Plan and Minor Subdivision Conditions of Eligibility Provisions of the Bartholomew County Subdivision Control Ordinance**. Mr. Bergman explained that the Plan Commission has been discussing and working on these amendments for several months to make the regulations more clear and property owner friendly.

Chairman Lienhoop opened the Public Hearing. Hearing no comments, Chairman Lienhoop closed the Public Hearing. Commissioner Kleinhenz made a motion to approve, on second reading, the following ordinance. Commissioner Franke seconded the motion that passed unanimously.

Ordinance 2011-05

AN ORDINANCE AMENDING THE MAJOR SUBDIVISION CONCEPT PLAN AND MINOR SUBDIVISION CONDITIONS OF ELIGIBILITY PROVISIONS OF THE BARTHOLOMEW COUNTY SUBDIVISION CONTROL ORDINANCE

**Favorably Recommended by
Bartholomew County Plan Commission General Resolution 2011-02**

WHEREAS, the current Subdivision Control Ordinance of Bartholomew County was adopted by the Bartholomew County Board of Commissioners on October 21, 1986; and

WHEREAS, the Plan Commission, based on its experiences, has determined that certain provisions are in need of update, revision, and clarification; and

WHEREAS, the process of creating the proposed revisions to the Subdivision Control Ordinance has included opportunities for input from end-users of the document who are specifically affected by those revisions, specifically local land surveyors and the Bartholomew County Highway Department; and

WHEREAS, these proposed revisions to the Subdivision Control Ordinance were prepared consistent with the provisions of IC 36-7-4-701(b) and for the purposes described by IC 36-7-4-601(c); including (1) the securing of adequate light, air, convenience of access, and safety from fire, flood, and other danger; (2) lessening or avoiding congestion in public ways, and (3) promoting the public health, safety, comfort, morals, convenience, and general welfare; and

WHEREAS, the Plan Commission did, on July 13, 2011, hold a public hearing consistent with the applicable requirements of Indiana law (IC 36-7-4-604); including providing the required published notice; and

WHEREAS, the Plan Commission has made a favorable recommendation to the Board of County Commissioners on the adoption of the proposed Subdivision Control Ordinance revisions.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Bartholomew County, Indiana, as follows:

SECTION 1: Subdivision Control Ordinance Revised

The Bartholomew County Subdivision Control Ordinance is revised as described by the “Public Hearing Draft Proposed Text – Bartholomew County Subdivision Control Ordinance Revisions” document attached to and made a part of this ordinance.

SECTION 2: Repealer

All ordinances or parts thereof in conflict with this Ordinance shall be repealed to the extent of such conflict.

SECTION 3: Severability

If any provision, or the application of any provision, of this Ordinance is held unconstitutional or invalid the remainder of the Ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 4: Effective Date

This Ordinance shall be effective upon adoption and any publication required by Indiana law.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW COUNTY, INDIANA ON FIRST READING THIS 25th DAY OF JULY, 2011.

S/s Carl Lienhoop
Carl Lienhoop

S/s Larry S. Kleinhenz
Larry S. Kleinhenz

S/s Paul Franke
Paul Franke

ATTEST:

S/s Barbara Hackman
Barbara J. Hackman, Auditor
Bartholomew County, Indiana

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF
BARTHOLOMEW COUNTY, INDIANA ON SECOND READING THIS 1st DAY OF
AUGUST, 2011.**

S/s Carl Lienhoop
Carl Lienhoop

S/s Larry S. Kleinhenz
Larry S. Kleinhenz

S/s Paul Franke
Paul Franke

ATTEST:

S/s Barbara Hackman
Barbara J. Hackman, Auditor
Bartholomew County, Indiana

Mr. Bergman also presented the second reading of an **Ordinance Amending the Official Zoning Map of Bartholomew County, Indiana, Rezoning the Subject Property from “I1” (Light Industrial) to “CRc” (Regional Commercial with Conditions)**. This is regarding the RZ-11-01 (Victor Davis Rezoning), which is located at 11490 North US 31 across from the Edinburgh Outlet Mall. Victor Davis intends to operate an antique store from the former Adesa building. The Adesa building and the surrounding parking area are currently zoned CR (Regional Commercial) and the majority of the property (located to the west of the building and parking area) is currently used for agriculture and is zoned I1 (Light Industrial). Mr. Davis is seeking the rezoning so that his entire property is zoned CR and the antique store is a permitted use. Mr. Davis has no plans at this time to further develop the property.

Mr. Bergmann mentioned that the Plan Commission was in favor of this Ordinance with the following condition:

The following condition of approval shall be recorded in the office of the Bartholomew County Recorder: "Any further development on Lot A2A of the Roberts/Adesa Administrative Subdivision will require the extension of Hartman Drive (as a public street) south to connect to Willoughby Drive."

Chairman Lienhoop opened the Public Hearing. Hearing no comments, Chairman Lienhoop closed the Public Hearing. Commissioner Franke made a motion to approve, on second reading, the following ordinance including the condition added. Chairman Lienhoop seconded the motion that passed unanimously.

ORDINANCE 2011-04

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF BARTHOLOMEW COUNTY, INDIANA, REZONING THE SUBJECT PROPERTY FROM "I1" (LIGHT INDUSTRIAL) TO "CRc" (REGIONAL COMMERCIAL WITH CONDITIONS)

**To be known as the: Victor Davis Rezoning
Plan Commission Case No.: RZ-11-01**

WHEREAS, this rezoning was requested by Victor Davis and includes the consent of all owners of the subject property; and

WHEREAS, the Bartholomew County Plan Commission did on July 13, 2011 hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Board of Commissioners; and

WHEREAS, the Board of Commissioners of Bartholomew County, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Bartholomew County, Indiana, as follows:

SECTION 1: Official Zoning Map

The zoning classification of the following described real estate shall be changed from "I1" (Light Industrial) to "CRc" (Regional Commercial with Conditions):

All that part of Lot A2A of the “Roberts/Adesa Administrative Subdivision” recorded in Plat Book Q – Page 312D in the Office of the Bartholomew County Recorder that was originally Block A of the “Willoughby Trucking Park Final Plat” recorded in Plat Book O – Page 73 in the Office of the Bartholomew County Recorder except for Lot A1 of the “Willoughby/Roberts Resubdivision of Block A” as recorded in Plat Book Q – Page 98C in the Office of the Bartholomew County Recorder.

SECTION 2: Condition(s)

The following condition of approval shall be recorded in the office of the Bartholomew County Recorder: “Any further development on Lot A2A of the Roberts/Adesa Administrative Subdivision will require the extension of Hartman Drive (as a public street) south to connect to Willoughby Drive.”

SECTION 3: Repealer

All ordinances or parts thereof in conflict with this Ordinance shall be repealed to the extent of such conflict.

SECTION 4: Severability

If any provision, or the application of any provision, of this Ordinance is held unconstitutional or invalid the remainder of the Ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 5: Effective Date

This Ordinance shall be effective upon and after the date and time of its adoption and the required recording of the condition, as provided in Indiana law.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW COUNTY, INDIANA ON FIRST READING THIS 26th DAY OF JULY, 2011.

S/s Carl Lienhoop

Carl Lienhoop

S/s Larry S. Kleinhenz

Larry S. Kleinhenz

S/s Paul Franke

Paul Franke

ATTEST:

S/s Barbara Hackman

Barbara J. Hackman, Auditor
Bartholomew County, Indiana

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF
BARTHOLOMEW COUNTY, INDIANA ON SECOND READING THIS 1st DAY OF
AUGUST, 2011.**

S/s Carl Lienhoop

Carl Lienhoop

S/s Larry S. Kleinhenz

Larry S. Kleinhenz

S/s Paul Franke

Paul Franke

ATTEST:

S/s Barbara Hackman

Barbara J. Hackman, Auditor
Bartholomew County, Indiana

Next, Ms. Trena Carter, the ARa Manager of Municipal Programs, presented the Commissioners with a Consideration of a Four-Factor Analysis Community Development Block Grant Program for the Hillview Estates Wastewater Project. This four-factor analysis will serve as a guide for determining which language assistance measures are needed in Bartholomew County for Limited English Proficiency (LEP) persons requesting oral translation during citizen participation activities. The 2000 Census information was used in the four-factor analysis because the 2010 census has not

been broken down to the levels needed yet. The four-factor analysis is a federal Housing and Urban Development requirement. Chairman Lienhoop made a motion to approve the four-factor analysis. Commissioner Kleinhenz seconded the motion that passed unanimously.

Next, Ms. Carter presented the Commissioners with a Consideration of the following Resolution Authorizing Submission of a CDBG Planning Grant Application.

A RESOLUTION OF THE COUNTY COMMISSIONERS OF BARTHOLOMEW COUNTY INDIANA AUTHORIZING SUBMISSION OF A CDBG PLANNING GRANT APPLICATION TO THE INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS AND ADDRESSING RELATED MATTERS

WHEREAS, the Board of County Commissioners of Bartholomew County, Indiana recognizes the need to stimulate growth to maintain a sound economy within its corporate limits; and

WHEREAS, The Housing and Community Development Acts of 1974, as amended, authorizes the Indiana Office of Community and Rural Affairs to provide grants to local units of government to meet the housing and community development needs of low and moderate income persons;

WHEREAS, the Board of County Commissioners of Bartholomew County, has conducted or will conduct public hearings prior to the submission of an application to the Indiana

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Bartholomew County, Indiana, that:

1. The Chairman of the Board of County Commissioners of Bartholomew County is authorized to prepare and submit an application for grant funding to address the need for improvements to the Hillview Estates Subdivision Utility, Inc. and to execute and administer a resultant grant contract, including requisite general administration and project management contracts and agreements, pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.

2. The Board of County Commissioners of Bartholomew County, Indiana hereby commits requisite local funds in the amount of *Three Thousand Two Hundred Forty Dollars* (\$3,240), in the form of cash from the Hillview Estates Subdivision Utility, Inc., as matching funds for said program, such commitment to be contingent upon receipt of CDBG Planning funding from the Indiana Office of Community and Rural Affairs.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF BARTHOLOMEW COUNTY, INDIANA this 1st day of August, 2011, at 10:30 o'clock A.M.

S/s Carl Lienhoop

Carl H. Lienhoop, County Commissioner,
Chairman

S/s Paul Franke

Paul Franke, County Commissioner

S/s Larry S. Kleinhenz

Larry S. Kleinhenz, County Commissioner
Bartholomew County, Indiana

ATTEST:

S/s Barbara Hackman

Barbara J. Hackman, Auditor
Bartholomew County, Indiana

Chairman Lienhoop opened the Public Hearing. Hearing no comments, Chairman Lienhoop closed the Public Hearing. Commissioner Kleinhenz made a motion to approve this Resolution. Commissioner Franke seconded the motion that passed unanimously.

Ms. Carter also announced that a public hearing will be held about the Hillview Estates Wastewater Project at the Mt. Healthy picnic shelter at 6:00 pm on Thursday, August 4, 2011.

Next, Auditor Barb Hackman mentioned that Enterprise Car Rental would like to offer the County and the County employees the opportunity to rent cars from Enterprise at the State rate. An Enterprise Car Rental representative will come down to explain the process to the employees if this is approved. When renting a car, the County employee will need the pin number and an identification card, given to them from the representative, to be able to get the State rate. Commissioner Franke asked if this would be valid on out-of-state rentals. Auditor Hackman said she was not sure, but would ask about this. Commissioner Kleinhenz said the County does not rent cars, but this would be a benefit for the County employees. Commissioner Kleinhenz made a motion to authorize Auditor Hackman to look into this car rental program with Enterprise. Commissioner Franke seconded the motion that passed unanimously.

Next, President of the Hope Art Guild Wanda Bontrager presented the Commissioners with two collages as a gift from the Hope Art Guild. The first collage consisted of pictures of landmarks from Hope, such as the War Memorial, the Hope Library, Norman's Funeral Home, the Yellow Trail Museum, Hope Elementary School, etc. The second collage consisted of pictures of landmarks from Columbus, such as: City Hall, St. Bartholomew Church, the New Commons Mall, the new and old Senior Center, the Visitor's Center, etc. The pictures in the collages were painted by local artists. The Commissioners graciously accepted the collages and thanked Ms. Bontrager and the Hope Art Guild for their generous gifts.

Chairman Lienhoop mentioned that Mrs. Jean Dishinger, wife of Mr. John Dishinger, passed away. Chairman Lienhoop mentioned that Mr. and Mrs. Dishinger have been frequent visitors of the Commissioner's meetings for years and was sorry to hear of Mr. Dishinger's loss. Chairman Lienhoop sent condolences to Mr. Dishinger and his family on behalf of the Commissioners.

There being no other business, the meeting was adjourned by Chairman Lienhoop at 10:41 am. The next Commissioner's meeting will be held on Monday, August 8, 2011 at 10:00 am in the Commissioner's Chambers.

BARTHOLOMEW COUNTY
COMMISSIONERS

CARL H. LIENHOOP, CHAIRMAN

PAUL FRANKE, MEMBER

LARRY S. KLEINHENZ, MEMBER

ATTEST:

BARBARA J. HACKMAN, AUDITOR