

COMMISSIONER'S MEETING
June 4, 2012

The Bartholomew County Commissioners met in regular session on June 4, 2012 in the Governmental Office Building, 440 Third Street, Columbus, Indiana. Chairman Larry Kleinhenz called the meeting to order at 10:00 am. Commissioners Carl Lienhoop and Paul Franke, Auditor Barb Hackman, and County Attorney J. Grant Tucker were also in attendance. Commissioner Lienhoop gave the Invocation and led the Pledge of Allegiance.

Next, Commissioner Lienhoop made a motion to approve the May 29, 2012 minutes. Chairman Kleinhenz seconded the motion that passed unanimously.

The Commissioners Claims were presented for approval. Commissioner Franke made a motion to approve the Commissioners Claims as presented. Commissioner Lienhoop seconded the motion that passed unanimously.

Next, Chairman Kleinhenz read the New Permits Report from 5/28/2012 to 6/1/2012. Thirty-two (32) building permits were issued with a fee amount of \$7,702.00 and a valuation amount of \$5,266,874.

County Highway Engineer Danny Hollander presented, to the Commissioners, an agreement with Dave O'Mara Contractor, Inc. for the construction and completion of Bridge No. 128 in the amount of \$289,727.55. Commissioner Lienhoop made a motion to approve the agreement with Dave O'Mara Contractor, Inc. for Bridge No. 128 in the

amount of \$289,727.55. Commissioner Franke seconded the motion that passed unanimously.

Engineer Hollander presented the weekly crew report. Last week, they patched roads, put up signs, mowed in Columbus, Harrison, Wayne and German Townships, ditched on 900 E., on Stafford Rd. and on 600 E. They grinded stumps on 500 W., Base Rd. and on Tellman Rd. They also added on to pipe at 900 N. and 100 W.

The MS 4 Report was not ready to be presented in today's meeting.

Chairman Kleinhenz stated that he received another call discussing the Shady Lane issue and wanted Engineer Hollander to put it higher on his list of things to do.

The Commissioners suggested to Engineer Hollander that they monitor the river channel at Azalia Bridge, on 800 S.

The next item on the agenda was the consideration of requests from Hope Area Chamber of Commerce and Heritage of Hope, LLC. The Hope Area Chamber of Commerce is planning the annual Old-Fashioned Independence Day Celebration event to take place in Hope, Indiana on and around the historic Town Square at the end of June. They are requesting permission to close road 700 N. from its intersection at 670 E. to the bridge on West Jackson Street in Hope. This will include a small section of 700 E. and 690 N. The road will need to be closed from 11:59 p.m. on Thursday, June 28, 2012 until 11:59 p.m. on Friday, June 29, 2012 for fireworks display preparation and the actual fireworks show itself.

The Heritage of Hope, LLC is planning the annual Heritage Days event to take place in Hope, Indiana on and around the historic Town Square this fall. The Festival Division of Heritage of Hope, LLC respectfully requests permission to close road 700 N. from its intersection at 670 E. to the bridge on West Jackson Street in Hope. This will include a small section of 700 E. and 690 N. The road will need to be closed from 11:59 p.m. on Friday, September 28, 2012 until 11:59 p.m. on Saturday, September 30, 2012 for fireworks display preparation and the actual fireworks show itself.

Commissioner Franke made a motion to approve both the Hope Area Chamber of Commerce and Heritage of Hope, LLC requests. Commissioner Lienhoop seconded the motion that passed unanimously.

Senior Planner Thom Weintraut was present for the consideration of adopting the “Northern Gateway Land Use and Transportation Plan” as an element of the Bartholomew County Comprehensive Plan. This area is the intersection of I65 and US 31 (commonly Exit 76) just north of Taylorsville. Mr. Weintraut explained the Plan Commission authorized a study of the interchange area because there had been some development prospects that came in that were not defined under the current Land Use Plan. In 2010, there was an organizational meeting held and a steering committee appointed. In April of that year, there was a public open house at the Hilton Gardens in which invitations were sent to all the property owners in the study area. The Steering Committee met later in May to review the input and provide some directions for the plan. In March of 2012, they presented the draft plan to the Steering Committee, in April, had

another public open house at the Hilton Gardens and the Plan Commission reviewed it at their May meeting and made a favorable recommendation.

Mr. Weintraut gave a presentation on recommendations for the entire focus area and specific recommendations for each of the following sections:

Section 1 Land Uses: Agriculture, Recreational, Commercial, Commercial/Industrial

Section 1 is located west of the Edinburgh Outlet Mall and because of the service related businesses located in the section, has many visitors and a high development potential. The properties with frontage along US 31 are better suited for commercial uses.

Properties without frontage on US 31 could be used as either commercial or industrial. There is a foundation of existing commercial and industrial uses which provides a basis for development of other parcels. While the current vehicular circulation for Section 1 is not ideal, opportunities for improvements can be made.

There are portions of Section 1 which are located within the floodway and any development would require IDNR approval. The properties in the floodway are wooded and best used for agriculture, open space, or recreation which minimizes impact within the floodway.

Section 2 Land Uses: Agricultural, Recreational, Residential, Commercial/Industrial

Section 2 is secluded from the rest of the focus area and therefore less intensive uses would be most appropriate. The section is located between I-65 and the Driftwood River and consists of the Tannehill Park manufactured home park and low density single family residential properties. This area should continue as primarily lower density residential because of the surrounding natural amenities and its seclusion from the more intensely developed commercial and industrial areas.

There are portions of Section 2 that are in the floodway. These areas should be left as either agriculture or used for recreational activities.

There are properties in the area along Heflin Park Road, that have visibility from I-65 and would be suitable for commercial and/or industrial uses.

Section 3 Land Uses: Residential, Commercial, Commercial/Industrial

Section 3 is an area that has a variety of potential uses. The area north of Tannehill Road is surrounded by both I-65 and US 31. Because of the immediate access for these properties, the area has potential for commercial and industrial uses.

North of Tannehill Road and at its intersection of US 31 commercial uses could be appropriate because of access and visibility.

Areas south of Tannehill Road and to the west of US 31 would be best suited for residential development because of access and the proximity to existing adjacent residential areas.

Section 4 Land Uses: Residential, Commercial, Commercial/Industrial

Section 4 is a highly visible area that is mostly undeveloped. The area is suitable for commercial and/or industrial uses because of its visibility, multiple access options and rail access on the east edge of the area.

The properties that front on US 31 are prime commercial properties because of their high visibility and quick access to US 31 and I-65.

There is also a parcel of approximately 30 acres that is zoned for multifamily residential located approximately 500 feet to the east of the intersection of US 31 and Bear Lane. The residential use would provide support for commercial development in the immediate area.

Also in his presentation was the Land Use Policies and the Transportation Policies for each section.

The following Resolution was adopted on a motion by Commissioner Franke and a second by Commissioner Lienhoop. The vote was unanimous.

RESOLUTION NO: 2012 – 05

of the Board of Commissioners of Bartholomew County, Indiana

Adopting the

**“Northern Gateway Land Use and Transportation Plan”
as an element of the
Bartholomew County Comprehensive Plan**

WHEREAS, the Bartholomew County Board of Commissioners has previously adopted a Comprehensive Plan for the jurisdiction of the Bartholomew County Plan Commission, including a Goals and Policies Element, a Land Use Element, and a Thoroughfare Plan Element; and

WHEREAS, it is the intent of the Plan Commission and the Board of Commissioners that the Comprehensive Plan be a flexible, evolving document which accurately represents the current status and future vision of the community; and

WHEREAS, the Plan Commission acting through its professional staff has developed the “Northern Gateway Land Use and Transportation Plan” which provides additional, more detailed information and decision-making guidance for land use and transportation planning in the Interstate 65 and US 31 interchange area; and

WHEREAS, the process of creating the “Northern Gateway Land Use and Transportation Plan” made reference to the previously adopted Comprehensive Plan Elements, resulting in coordinated County policies for future land use, preservation of farmland, protecting natural features, and promoting economic growth in compatible areas; and

WHEREAS, the “Northern Gateway Land Use and Transportation Plan” was prepared with appropriate oversight and input from the Plan Commission staff and the County Highway Engineer; and

WHEREAS, the process for creating the “Northern Gateway Land Use and Transportation Plan” has included multiple opportunities for public input, extensive research of existing conditions and trends, and the application of best practices for land use and transportation planning; and

WHEREAS, the “Northern Gateway Land Use and Transportation Plan” can serve as a significant resource for the Plan Commission and the Board of Commissioners in making land use and transportation system decisions and therefore will be both a logical and valuable addition to the Comprehensive Plan; and

WHEREAS, the Plan Commission did, on May 9, 2012, hold a public hearing consistent with the applicable requirements of Indiana law (IC 36-7-4-507); including providing the required public notice; and

WHEREAS, the Board of Commissioners has reviewed the “Northern Gateway Land Use and Transportation Plan” together with the resolution certifying its approval by the Plan Commission and recommending that it be adopted as an element of the Bartholomew County Comprehensive Plan; and

WHEREAS, the adoption of the “Northern Gateway Land Use and Transportation Plan” is consistent with the provisions and objectives of the Indiana Code (specifically the IC 36-7-4-500 series) and will promote public health, safety, morals, convenience, order, and general welfare, as well as an efficient and economic process of county development; and

NOW THEREFORE BE IT RESOLVED by the Board of County Commission of Bartholomew County, Indiana, as follows:

SECTION 1: “Northern Gateway Land Use and Transportation Plan” Adopted

The “Northern Gateway Land Use and Transportation Plan”, as incorporated by reference as a part of this resolution, is adopted as an element of the Bartholomew County Comprehensive Plan.

SECTION 2: Effective Date

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

PASSED AND ADOPTED BY THE BARTHOLOMEW COUNTY BOARD OF COMMISSIONERS THIS 4th DAY OF JUNE, 2012 BY A VOTE OF 3 IN FAVOR AND 0 OPPOSED.

S/s Carl H. Lienhoop
Carl Lienhoop

S/s Larry S. Kleinhenz
Larry S. Kleinhenz

S/s Paul Franke
Paul Franke

ATTEST:

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

The next item on the agenda was the Driftwood Utilities consideration of grant paperwork. Kent Anderson, with Kenna Consulting, explained that this is a waste water improvement and this is all the required paperwork to apply through the “OCRA” (Office of Community and Rural Affairs) Grant. Commissioner Lienhoop made a motion to sign the paperwork for the Driftwood Utilities grant monies for waste water improvement. Commissioner Franke seconded the motion that passed unanimously. Auditor Hackman presented a letter to Mr. Anderson certifying that the funds are available per the letters dated May 15, 2012 from Driftwood Utilities and May 30, 2012 from the Heritage Fund and are committed to be used for a waste water collection system improvement grant application to the Office of Community and Rural Affairs.

RESOLUTION NO. 2012-06

**RESOLUTION TO THE COMMISSIONERS OF
BARTHOLOMEW COUNTY INDIANA AUTHORIZING
THE SUBMITTAL OF THE CFF APPLICATION TO THE
OFFICE OF COMMUNITY AND RURAL AFFAIRS
AND ADDRESSING RELATED MATTERS**

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

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the 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; and,

WHEREAS, Bartholomew County, Indiana has conducted or will conduct public hearings prior to the submission of an application to the Office of Community and Rural Affairs, said public hearings to assess the housing, public facilities and economic needs of its low and moderate income residents;

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

Section 1. The County Commissioner President is authorized to prepare and submit an application for grant funding to address the proposed wastewater collection system improvements for Driftwood Utilities, Inc. a 501 (c) (12) non-profit corporation, and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.

Section 2. That Bartholomew County, Indiana hereby commits the requisite local funds in the amount of seventy nine thousand dollars (\$79,000) from the following sources: \$67,000 from Driftwood Utilities Capital Reserve Fund and \$12,000 the Heritage Fund as matching funds for said program, such commitments to be contingent upon receipt of Community Focus Fund funding from the Office of Community and Rural Affairs.

Adopted by the County Commissioners of Bartholomew County, Indiana this 4th day of June 2012.

BARTHOLOMEW COUNTY, INDIANA

ATTEST:

S/s Larry Kleinhenz
Larry Kleinhenz
County Commissioner President
Bartholomew County, Indiana

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

The next item on the agenda was the Consideration of an **Ordinance Amending Ordinance No. 2009-12 Pertaining to the Bartholomew County Personnel Policy** on second reading. County Attorney J. Grant Tucker said the County is required to e-verify enrollment of all County new hires, so once this ordinance is passed, the e-verify enrollment will become part of the Bartholomew County Personnel Policy. Chairman Kleinhenz opened the Public Hearing. Hearing no comments, Chairman Kleinhenz closed the Public Hearing. Commissioner Lienhoop made a motion to approve the following Ordinance on second reading. Commissioner Franke seconded the motion that passed unanimously.

**AN ORDINANCE AMENDING ORDINANCE NO. 2009-12
PERTAINING TO THE BARTHOLOMEW COUNTY PERSONNEL POLICY**

WHEREAS, Bartholomew County, Indiana, is an equal opportunity employer; and

WHEREAS, Bartholomew County, intends to comply with applicable Federal and State employment laws and regulations; and

WHEREAS, the Board of Commissioners of Bartholomew County did, on the 19th day of October , 2009, adopt Ordinance 2009-12 which established an amended, revised and updated Bartholomew County Personnel Policy; and

WHEREAS, due to recent changes in Federal and State laws, rules and regulations, it has become necessary to update and amend the Bartholomew County Personnel Policy to comply with Federal and State Laws, Rules and Regulations.

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

SECTION 1: Ordinance No. 2009-12 is hereby amended, revised and changed to add and include the following:

SECTION 2. There shall be added a subsection 1.9 E-Verify which shall read as follows:

1.9 E-VERIFY

The Auditor's office shall administer the e-verify enrollment of all County new-hires; and shall ensure that appropriate forms are properly completed and retained as required by law.

SECTION 3. There shall be added a subsection 1.10 ELIGIBILITY FOR LOCAL PUBLIC BENEFITS which shall read as follows:

1.10 ELIGIBILITY FOR LOCAL PUBLIC BENEFITS

All County Employees shall complete a Verification of Eligibility for Local Public Benefits Form to ensure entitlement to a Federal Public Benefit as defined by I.C. 12-32-1-2 and State or local public benefits as defined by I.C. 12-32-1-3. This form shall be administered and retained by the Auditor's office as required by law.

SECTION 4. Ordinance 2009-12 shall remain unchanged in all other respects.

SECTION 5. This Ordinance and the corresponding changes/additions to the Bartholomew County Personnel Policy shall be effective immediately upon its passage.

PASSED ON FIRST READING THIS 29TH DAY OF MAY, 2012.

BOARD OF COMMISSIONERS OF
BARTHOLOMEW COUNTY, INDIANA

S/s Larry S. Kleinhenz
Larry S. Kleinhenz, Chairman

ABSENT
Paul Franke, Member

S/s Carl H. Lienhoop
Carl H. Lienhoop, Member

ATTEST:

By: S/s Barbara J. Hackman

Barbara J. Hackman, Auditor of
Bartholomew County, Indiana

PASSED ON SECOND READING THIS 4TH DAY OF JUNE, 2012.

BOARD OF COMMISSIONERS OF
BARTHOLOMEW COUNTY, INDIANA

S/s Larry S. Kleinhenz
Larry S. Kleinhenz, Chairman

S/s Paul Franke
Paul Franke, Member

S/s Carl H. Lienhoop
Carl H. Lienhoop, Member

ATTEST:

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

Commissioner Franke presented the Clerk's Monthly Report for the month of April 2012. Commissioner Franke made a motion to accept the Clerk's Report for the month of April 2012. Chairman Kleinhenz seconded the motion that passed unanimously.

Under miscellaneous, was a proposal for one consolette for BCSD – E911. There are two consolettes that operate the Sheriff's department radio department and one has completely failed and he needs to make an emergency purchase for a new one in the amount of \$7,823. OCI will replace this. Commissioner Franke made a motion to

approve the new consolette in the amount of \$7,823 from OCI. Commissioner Lienhoop seconded the motion that passed unanimously.

There being no other business, the meeting was adjourned by Chairman Kleinhenz at 10:51 a.m. The next Commissioners' meeting will be on Monday, June 11, 2012 at 10:00 a.m. in the Commissioners' Chambers.

BARTHOLOMEW COUNTY
COMMISSIONERS

LARRY S. KLEINHENZ, CHAIRMAN

PAUL FRANKE, MEMBER

CARL H. LIENHOOP, MEMBER

ATTEST:

BARBARA J. HACKMAN, AUDITOR