

COMMISSIONER'S MEETING
October 14, 2013

The Bartholomew County Commissioners met in regular session on October 14, 2013 in the Governmental Office Building, 440 Third Street, Columbus, Indiana. Chairman Carl Lienhoop called the meeting to order at 10:00 a.m. Commissioners Larry Kleinhenz and Rick Flohr, Attorney J. Grant Tucker and Auditor Barbara Hackman were all in attendance.

Ed Reuter, Director of Emergency Operations gave the Invocation and led the Pledge of Allegiance.

The first item on the agenda was the approval of the September 30, 2013 and October 7, 2013 meeting minutes. Commissioner Kleinhenz made the motion to approve the minutes and it was seconded by Commissioner Flohr. The motion passed unanimously.

The next item on the agenda was the approval of the Payroll. Commissioner Flohr made a motion to approve the Payroll as presented and it was seconded by Commissioner Lienhoop. The motion passed unanimously.

The next item on the agenda was the weekly Permit report. Chairman Lienhoop read the New Permits Report from 10/07/2013 to 10/11/2013. Twenty-four (24) permits had been issued with a fee amount of \$4,494 and a valuation amount of \$3,757,735

The next item on the agenda was County Engineer Danny Hollander, who gave the weekly crew report as follows: they mowed in Columbus, Rockcreek, and Clay

Townships, put up signs, repaired school bus turnaround at 200 N, cut tree limbs at 25 S, 300 S, 275 W and Base Road, did ditching and replaced pipes at 250 S and 930 S, seeded and placed straw under Southern Crossing Bridge and laid stone along the roadway. Also, many of the crew attended an IPEP safety meeting on Friday, which was held at the 4-H Fairgrounds. Commissioner Kleinhenz asked about the road project on 600 N. Engineer Hollander reported that the East half was done and work was continuing on the West half. This includes work at the intersection and striping of the road, which he stated is the most difficult part of the project. Commissioner Kleinhenz commented on the striping on the road that has been completed and how good it looked.

The next item on the agenda was consideration of an Unofficial Detour Agreement (Letter of Understanding) with INDOT. Engineer Hollander explained the reason for this detour and the closure of S.R. 58, 6.4 miles East of S.R. 135 as being part of INDOT's Small Structure Replacement Project. S.R. 58 will be closed on October 1, 2013 and re-open on November 9, 2013. The Unofficial Detour is Seymour Rd and 675 West in Bartholomew County and C.R. 25 East and 925 North in Jackson County. Commissioner Kleinhenz made the motion to pass the Unofficial Detour Agreement (Letter of Understanding) with INDOT which was seconded by Commissioner Flohr. It passed unanimously. (*See Attached*)

Commissioner Lienhoop commented that the Truss Bridge in Hartsville was in need of being replaced and would like to see this added to the bridge repair/replacement

project list. It was mentioned by Commissioner Lienhoop that this particular bridge has not been determined as a Historical bridge at this time.

The next item on the agenda was consideration of a Design Services Agreement with United Consulting for Replacement of Bridge No. 39. Commissioners agreed to table this item for further discussion.

The next item on the agenda was the consideration of an Ordinance Amending the Definitions and the Administrative Subdivision Provisions of the Bartholomew County Subdivision Control Ordinance. Jeff Bergman, City of Columbus-Bartholomew County Planning Department Director presented the plan changes that were intended to clarify the present County Ordinance. Director Bergman commented that this had been discussed with various County Offices for input and the Planning Department has also made similar corresponding changes to the City Subdivision Control Ordinance. There were two regulatory changes, the first was removing the 20 acre minimize size requirement for subdividing agricultural tracts and the second was removing the platting requirements for cemetery plots. Commissioner Kleinhenz asked for an example of one of the definition changes. Director Bergman gave an example of the term “Block” usually associated with a City block being replaced with the term “Common Area” thereby clarifying this definition. Commissioner Flohr made the motion to approve, upon First Reading, the Ordinance Amending the Definitions and the Administrative Subdivision Provisions of the Bartholomew County Subdivision Control Ordinance

which was seconded by Commissioner Kleinhenz. Motion passed unanimously. (*See Attached*)

The next item on the agenda was the Second Reading of the consideration of an Ordinance Amending a Portion of Ordinance No. 2007-02 and 2010-03 pertaining to the Establishment and Collection by the Bartholomew County Health Department of Fees for Specific Services and Records. Collis Mayfield, Health Department Director gave a brief overview of the proposed fee schedule changes. John Dishinger asked that the Commissioner's postpone adoption of this Ordinance until he has time to look over the proposed fee changes on the County's website. Commissioner Kleinhenz made the motion to delay the adoption of the said Ordinance for a week which was seconded by Commissioner Flohr. The motion passed unanimously. (*See Attached*)

The next item on the agenda was consideration of a Contractor Agreement between Fred Terzo of Terzo and Bologna and the Bartholomew County Assessor's Office. County Assessor Lew Wilson presented the three phase real estate consulting and appraisal services that he feels are needed for a real estate property that has been appealed in 2010, 2011 and 2012. The Contract is for labor to be performed at the rate of \$150.00 per hour with a not to exceed amount of \$18,000.00 a year. Commissioner Kleinhenz made the motion to approve the agreement between Fred Terzo and the Bartholomew County Assessor's Office it was seconded by Commissioner Lienhoop. The motion passed unanimously. (*See Attached*)

The next item on the agenda was to approve the Resolution Transferring Title of a Bartholomew County Sheriff's Department 2007 Ford Crown Victoria to the Town of Clifford. The Town of Clifford in a separate Resolution will be transferring title to the Bartholomew County Commissioners of a vehicle that will then be put into the upcoming County Auction on Saturday, October 19, 2013. Commissioner Lienhoop made the motion to approve the Resolution of Transfer of Title of the 2007 Ford Crown Victoria Bartholomew County Sheriff's car to the Town of Clifford and it was seconded by Commissioner Kleinhenz. The motion passed unanimously. *(See Attached)*

There being no other business, the meeting was adjourned by Commissioner Lienhoop at 10:41 a.m. The next Commissioners' meeting will be on Monday, October 21, 2013 at 10:00 a.m. in the Commissioners' Chambers.

BARTHOLOMEW COUNTY
COMMISSIONERS

CARL H. LIENHOOP, CHAIRMAN

LARRY S. KLEINHENZ, MEMBER

RICHARD A. FLOHR, MEMBER

ATTEST:

BARBARA J HACKMAN



INDIANA DEPARTMENT OF TRANSPORTATION
Driving Indiana's Economic Growth

INDOT/Seymour District
185 Agrico Lane
Seymour, IN 47274

PHONE: 812.524.3961

Michael R. Pence, Governor
Karl B. Browning, Commissioner

October 1, 2013

Bartholomew County Commissioners
Governmental Office Building
440 Third Street
Columbus, IN 47201

RE: Letter of Understanding
Unofficial Detour
Closure of SR 58, 6.4 miles East of S.R. 135
Contract R-30004
Small Structure Replacement

Dear Commissioners,

Reference is made to the recent phone conversation with Brandi Fischvogt, of the INDOT Seymour District staff, and Danny Hollander, Bartholomew County Highway Department, on October 1, 2013 regarding the closure of S.R. 58, 6.4 miles East of S.R. 135. This closure is due to INDOT's Small Structure replacement project.

As discussed on October 1, 2013, S.R. 58 will close on October 1, 2013 and will re-open on November 9, 2013. The Official Detour will be S.R. 258, S.R. 11, I-65 to S.R. 58. As per the attached map, the Unofficial Detour will be Seymour Road and 675 West in Bartholomew County, and county roads 25 East and 925 North in Jackson County. The Unofficial Detour route will be in effect during the same time period as the Official Detour closure dates.

INDOT will set up and maintain the necessary traffic control for the Official Detour route or arrange with others to furnish the necessary items. The Unofficial Detour route will not be signed as a detour. Bartholomew County will be responsible for signing any weight restrictions on the Bartholomew County roads as part of the listed Unofficial Detour.

INDOT agrees to reimburse Bartholomew County for costs related to damage repair as part of the Unofficial Detour. Reimbursable work must be approved by INDOT prior to the completion of any work. All reimbursable expenses must be documented. Once the District has agreed to the documented expense, INDOT and Bartholomew County must execute an agreement that indicates the documented expenses. This should be done after the INDOT Official Detour is eliminated.



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185 Agrico Lane
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Michael R. Pence, Governor
Karl B. Browning, Commissioner

If the terms of this letter are acceptable to you, we would appreciate your concurrence as soon as practical. Please sign the attached three (3) copies of this letter and return two (2) copies to the following address:

Mr. Christopher Wahlman
Acting Seymour District Capital Program Manager
Indiana Department of Transportation
185 Agrico Lane
Seymour, IN 47274

Respectfully,

Anthony K. McClellan
Seymour District Deputy Commissioner

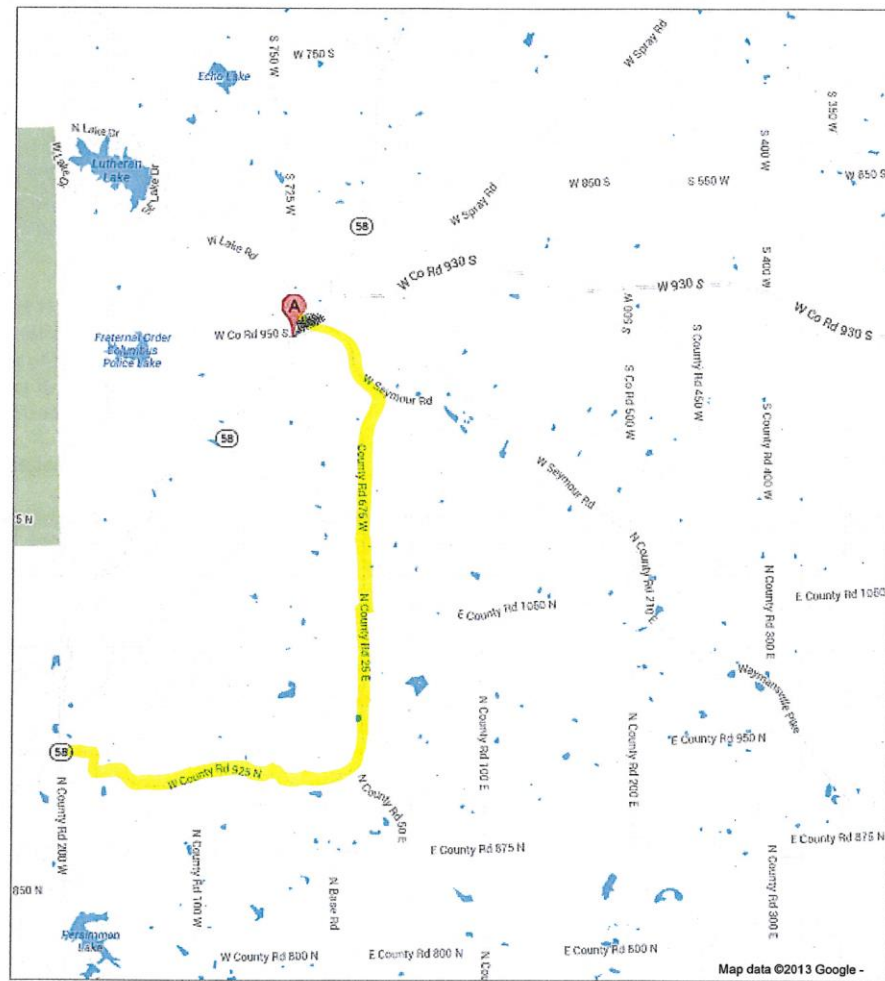
ACCEPTED:

Carl H. Lienhoop
Commissioner

Larry Kleinhenz
Commissioner

Rick Flohe
Commissioner

Date 10/14/13



ORDINANCE NO.: _____, 2013

AN ORDINANCE AMENDING THE DEFINITIONS AND THE ADMINISTRATIVE SUBDIVISION PROVISIONS OF THE BARTHOLOMEW COUNTY SUBDIVISION CONTROL ORDINANCE.

**Favorably Recommended by
Bartholomew County Plan Commission General Resolution 2013-02**

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, the Bartholomew County Highway Department, and the Bartholomew County Surveyors Office; 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 September 11, 2013, 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 below:

1. Sec. 16.08.010 Definitions: The current content of this section is deleted in its entirety and replaced with the following:

Access Point: A driveway or other means of physical connection for the movement of vehicles between a property and an adjacent property, street or road.

Adjacent Property Owners: The owners of property contiguous to the subject property, excluding those who are also the owners of the subject property, ignoring all intervening streams, street and railroad rights-of-way and other similar features.

Agricultural Purpose: Farming, dairying, pasturing, agriculture, horticulture, floriculture, and animal and poultry husbandry.

Agricultural Remainder: The portion of the parent tract that remains as the result of an Administrative Subdivision by which a new lot(s) for an existing home has been created. The building

rights are transferred to the new Administrative Lot created, leaving the Agricultural Remainder "unbuildable." The remainder does not have to be surveyed, but must have an agriculture affidavit.

Agricultural Tract: A tract created only through the Agricultural Subdivision process (possibly combined with an Administrative or Minor Subdivision on the same property) only for agriculture purposes and is therefore "unbuildable." The tract does not have to be surveyed, but must have an agriculture affidavit.

Alley: A public or private way primarily designed to provide vehicle access to the side or rear of those properties which have their principal frontage and pedestrian access on a street.

Applicant: See *petitioner*.

Approval, Administrative: An approval granted to an Administrative or Agricultural Subdivision by the Planning Director indicating that the subdivision complies with the applicable standards.

Approval, Primary: An approval (or approval with conditions) granted to a subdivision by the Commission indicating that it has determined that the subdivision complies with the applicable standards.

Approval, Secondary: An approval by the official designated by the Commission indicating that all conditions of primary approval and other applicable standards have been met.

Bicycle and Pedestrian Plan: The part of the comprehensive plan, now or hereafter adopted, which includes a roadmap for the creation of a system of bicycle and pedestrian facilities providing access to and connectivity between all areas of the City of Columbus and/or Bartholomew County.

Block: Property abutting on one side of a street, and lying between the two nearest intersecting or intercepting streets, or between the nearest intersection of intercepting street and railroad right-of-way, waterway or other definite barrier.

Board: The Board of Public Works and Safety of Columbus, Indiana for the City of Columbus jurisdiction and the Board of Commissioners of Bartholomew County for the Bartholomew County jurisdiction.

Board of Health: The Indiana State Board of Health.

Chord Bearing: The bearing from the start point of the curve to the end point of the curve.

Chord Distance: The distance of a line that links two points on a curve.

City Engineer: The City of Columbus City Engineer.

City: The City of Columbus, Indiana.

Closure: The process of measurement in a closed figure for a check on horizontal or vertical precision.

Columbus City Utilities: The Columbus city sewer and water utilities department primarily serving properties within the City of Columbus.

Commission: The Columbus Plan Commission or the Bartholomew County Plan Commission, with authority for the jurisdiction in which the subdivision is located.

Common Area: Land within a development which is not individually owned or dedicated to the public, but which is designed and intended for the use, enjoyment, and maintenance of the property owners within that development or other specific area.

Comprehensive Plan: A document, consistent with the requirements of the Indiana Code, which is a compilation of policy statements, goals and objectives, standards, maps, and statistical data for the physical, social, and economic development of the community.

Construction Plans: *Also referred to as Improvement Plans.* Any maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed for the subdivision in accordance with the applicable standards and as a condition of the approval of the plat.

Cost Estimate: An exhibit in association with construction plans that provides a detailed cost estimate of the individual improvements as required for a Major Subdivision.

County: Bartholomew County, Indiana.

County Engineer: The Bartholomew County Highway Engineer.

County Surveyor: The Bartholomew County Surveyor.

Covenant: A private agreement between property owners which places a restriction on the development of land through a written, recorded document.

Cul-De-Sac: A street or road with a single common ingress and egress and with a circular turn-around at the end.

Curve: A line or outline that gradually deviates from being straight for some or all of its length.

Department: The City of Columbus – Bartholomew County Planning Department or any agency officially designated as a successor thereto.

Drainage Board: The Bartholomew County Drainage Board.

Drainage Swale: A natural or constructed waterway, usually broad and shallow, covered with erosion-resistant grasses, used to conduct surface water from a field, diversion or other site feature.

Drainage System: Any combination of surface and/or subsurface drainage components fulfilling the drainage requirements of this Article.

Easement: A grant by a property owner, for the use by another person or entity, of any designated part of their property for a clearly specific purpose.

Easement, Access: An easement which provides access to lots, tracts or parcels of land across an adjoining parcel or parcels.

Easement, Drainage: An easement granted for the purpose of maintaining drainage. The drainage easement may include a culvert or drain which feeds into a drainage system or for drainage of runoff over an area of the property.

Easement, Landscape: An easement used specifically for the installation and maintenance of a required Landscape Buffer. *See Landscape Buffer.*

Easement, Pedestrian: An easement used specifically for the purpose of providing a public sidewalk or other pedestrian facility that could not be located in the public right-of-way.

Easement, Street Tree: An easement used specifically for the installation and maintenance of required street trees that could not be planted in the public right-of-way due to substantial conflicts.

Easement, Utility: An easement used specifically for the installation and maintenance of a utility.

Engineering Department: The Columbus, Indiana City Engineer's Office.

Erosion: The wearing away of the land surface by the action of wind, water or gravity.

Erosion Control Handbook: A handbook adopted by the Board of Public Works and Safety or the County Commissioners, as applicable, detailing erosion control methods.

Fire Department: The fire department having jurisdiction over the subject property and/or the Bartholomew County Fire Inspector acting on their behalf.

Flood Protection Grade: The elevation of the regulatory flood plus two feet at any given location in the Flood Hazard Area.

Floodplain (Flood Hazard Area): The relatively flat area or low land adjoining the channel of a river or stream which has been or may be covered by the regulatory flood. The flood plain includes the channel, floodway, and floodway fringe. Floodplain boundaries are to be determined by using the Floodway-Flood Boundary Maps of the Federal Insurance Administration/Federal Emergency Management Administration (FEMA) and/or any supplements adopted by the jurisdiction.

Floodway: The channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

Floodway Fringe: Portions of the floodplain lying outside the floodway.

Frontage: The width of a lot measured along a straight line connecting the side lot lines at points where said side lot lines intersect the right-of-way line of a public or private street from which such lot has legal access. For purposes of determining compliance with minimum frontage requirements, the frontage shall be continuous on a single street.

Grading: Any stripping, cutting, filling, stockpiling or any combination thereof and shall include the land in its cut or filled condition.

Health Department: The Bartholomew County Health Department.

Improvement Plans: See *Construction Plans*.

Individual Sewage Disposal System: A sewage disposal system for a single parcel or structure, usually but not necessarily a septic tank filter field.

Interested Parties: Those parties who are to be notified by mail of a public hearing on a proposed subdivision of land. Interested parties shall be those parties so defined in the Plan Commission Rules of Procedure.

Jurisdiction of the Commission: The area over which the Plan Commission has authority.

Landscape Buffer: Any combination of fences, walls, hedges, shrubs, trees and other landscape materials which effectively provide a solid, dense and opaque mass, to prohibit view, absorb sound and provide site delineation. Such screen shall provide total opacity throughout the year. Landscape buffers shall comply with the definition of a "Type A Buffer" contained in the Columbus and Bartholomew County Zoning Ordinance.

Legal Access: A platted access easement or the minimum required frontage on a street.

Legal Description: A description recognized by law which definitely describes property by reference to government surveys, coordinate systems or recorded maps; a description which is sufficient to locate the property without oral testimony.

Legal Drain: Any drainage system consisting of an open drain, a tiled drain, or any- combination of the two, that is under the jurisdiction of the County drainage board as provided by I.C. 36-9-27.

Legend: A key located on a plat used to explain what the symbols within the drawing mean.

Location Map: See *Vicinity Map*

Lot: A parcel of land created only through the Major or Minor Subdivision process that is buildable. The label "lot" signifies the parcel has been surveyed, monumented, dedicated the required amount of right-of-way, verified as having acceptable means of sewage disposal and otherwise reviewed and found to comply with the requirements of this ordinance.

Lot, Administrative: A parcel of land documented only through the Administrative Subdivision process that is buildable. The label "administrative lot" signifies the parcel has been surveyed, monumented, and otherwise reviewed and found to comply with the requirements of this ordinance, but has not been verified as having acceptable means of sewage disposal or otherwise reviewed or had dedicated the required amount of right-of-way.

Lot Width: The distance between side lot lines as measured at and along the front setback line.

Marker or Monument: A pipe, rod, nail, or any other object which is intended to be a permanent survey point for record purposes.

No Access Notation: A notation placed on a plat or subdivision drawing indicating an area in which property access to a public right-of-way is not permitted.

Offsite: Any premises not located within the area of the property to be subdivided, whether or not such premises are in the same ownership as the property to be subdivided.

Owner: Any person, firm, corporation, or other legal entity listed in the records of the county auditor having title to land sought to be subdivided under these regulations.

Parent Tract: The buildable land from which a new lot(s) or tract(s) of land are being taken from as recorded in the Recorder's Office.

Parent Tract Remainder: The portion of the parent tract that remains as the result of a subdivision by which new lots or tracts are created through the Minor Subdivision process or as used to label future phases of a Major Subdivision. The parent tract remainder retains the original parent tract's status as a "buildable" parcel without being surveyed. The label "lot" shall not be applied to the parent tract remainder on any plat unless it has been surveyed, monumented, verified as having acceptable means of sewage disposal, and otherwise reviewed and found to comply with the requirements of this Ordinance to the same extent as new "lots" that are created. A parent tract remainder does not need to be surveyed, but it must meet the minimum requirements of the Zoning Ordinance.

Person: includes an individual, corporation, firm, partnership, association, organization or any other unit or legal entity.

Petitioner: means the owner(s) of land proposed to be subdivided or his/her representative. This includes potential future owners or developers. Surveyors, designers, or other professionals involved in the project should not be considered petitioners.

Plat: The map, drawing, or plan a subdivision.

Plat Committee: The Plat Committee, appointed by the Plan Commission, consistent with its Rules of Procedure.

Plat, Final: A drawing prepared in accordance with the provisions of this ordinance, submitted for secondary approval and intended for recording.

Plat, Preliminary: A drawing indicating the proposed manner or layout of a subdivision to be submitted to the Commission for primary approval in accordance with this ordinance.

Primary Approval: Approval granted by the plan Commission to a preliminary plat.

Radius: The distance from the center of the curve to any point on the circular curve.

Regulated Drain: Any drainage system over which the county drainage board has legal control.

Relative Positional Accuracy: The value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95% confidence level.

Replat: Any change in an approved preliminary or final plat.

Right-of-Way: A strip of land, other than an easement, dedicated for public use and to be occupied or intended to be occupied by a street, pedestrian way, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, drainage swale, or for another special use. The boundaries of such rights-of-way are considered to be the lot lines of adjoining property from which setback distances are measured.

Road: See *Street*.

Secondary Approval: The final approval granted to a subdivision by the commission or a designated representative. This approval authorizes the owner or agent to record the plat.

Section Corner: A corner established as part of the United States Public Land Survey System used for horizontal control in describing land.

Street: A right-of-way dedicated or otherwise legally established which affords the principal means of access to abutting property. A street may be designated as a highway, thoroughfare, parkway, boulevard, road, avenue, lane, drive or other appropriate name. A street also is classified according to function as defined in the Official Thoroughfare Plan.

Street, Marginal Access: Local roads which are parallel to and separated by a limited access landscape buffer strip from arterial streets and highways. These roads provide for access to abutting property on one side only. *Note: This definition shall not be interpreted as including Marginal Access Subdivision streets in the jurisdiction of the Bartholomew County Plan Commission.*

Street, Private: Streets which serve the same function as local streets but which are not dedicated to nor maintained by any unit of government.

Subdivider: See *Petitioner*.

Subdivision: The division of a parcel of land into two or more lots, parcels, or other similar units.

Subdivision, Administrative: Is the platting process that includes one or more of the following:

1. The removal of interior lot lines, with the outside perimeter of the property remaining unchanged, resulting in fewer parcels than were contained in the original parcel;
2. The removal or relocation of easements on the property;
3. The changing of notations written on the plat or correction of errors thereon;
4. A division of land pursuant to an allocation of land by court decree;
5. To correct errors in an existing legal description, provided that no additional building lots are created;
6. A division of land for the sale or exchange of tracts between adjoining land owners, provided that no additional building sites are created;
7. A division or resubdivision of land for the acquisition by the public or by a utility for street right-of-way or easement; or
8. A division of a building site containing an existing dwelling which has been located on the site for at least three years from an agricultural parent tract.

Subdivision, Agricultural: Is the subdivision of land to create a parcel for agricultural purposes, not for building, which meets the following criteria:

1. All parcels, including the parent tract have legal access; and
2. The land is being divided for agricultural purpose and not for the purpose, whether immediate or future, of use, building development, or other improvement for residential, commercial, industrial, recreational or other nonagricultural purposes; and
3. Contains at least seventy-five percent Class I or Class II soils as shown in and defined by the Soil Survey of Bartholomew County; or
4. At least seventy-five percent of the land is planted with fruit-or-nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years; or
5. At least seventy-five percent of the land is planted with ornamental plants or trees for sale for use in landscaping; or
6. Has at least seventy-five percent of its area planted with trees of the species, Pinus, Picea, or Abies (pine, spruce or fir) grown for the purpose of sale as Christmas trees; or
7. Which has been used in three of the last five years for the cultivation and harvesting of crops, grazing by livestock, production of dairy products, the raising of poultry and production of eggs, or the raising of livestock.

Subdivision Benchmark: A permanent monument of known elevation, tied to the U.S.G.S. Benchmark System, installed at ground level.

Subdivision, Major: A division of land involving new streets, alleys, roads, other public infrastructure or the extension of utilities. This should not include those minor subdivisions that require the installation of sidewalks.

Subdivision, Minor: A division of land fronting an existing public right-of-way, not involving any new streets, alleys, roads, other public infrastructure (other than sidewalks), or not requiring the extension of utilities. *Note: To qualify as a minor subdivision the proposal must meet all of the conditions set forth in Chapter 4 of this Article.*

Subdivision Improvement Agreement: A document which establishes the contractual relationship between the developer of a subdivision and the local government of jurisdiction for the installation of improvements in accordance with the applicable standards and specifications.

Subdivision Review Committee: A committee established by the commission to assist with the technical evaluation of subdivisions and to make appropriate technical recommendations to the commission.

Subsurface Drainage: A system of pipes, tile, conduit or tubing installed beneath the ground surface used to collect ground water from individual parcels, lots or building footings.

Surface Drainage: A system by which the storm water run-off is conducted to an outlet. This would include the proper grading of parking lots, streets, driveways, yards, etc. so that storm water runoff is removed without ponding and flows to a drainage swale, open ditch or a storm sewer.

Thoroughfare Plan: The part of the comprehensive plan, now or hereafter adopted, which includes a major street and highway plan and sets forth the location, alignment, dimensions, identification, and classification of existing and proposed public streets, highways and other thoroughfares.

Tract: See *Parent Tract* or *Agricultural Tract*.

Unbuildable: A parcel of land with no building rights. To gain building rights the parcel must be surveyed, verified as having acceptable means of sewage disposal, and otherwise reviewed and found to comply with the subdivision control requirements.

Vicinity Map: A map showing the location of a subdivision in relation to a larger area. This may include major thoroughfares related to the subdivision, nearby community facilities such as parks, schools, fire stations, etc. and adjoining property. This may also show the parent tract.

Witness Marker: A marker or monument that is set as a reference to the actual corner when it is not possible or practical to set actual corner.

Zoning Ordinance: An ordinance and maps, which divide the area within the territorial zoning jurisdiction into zoning districts. The zoning ordinance prescribes and establishes regulations and procedures for the establishment of land use controls.

2. Sec. 16.12.060 Administrative Subdivisions: 16.12.060(c)(7) regarding cemetery plots, is deleted and subsequent items are re-numbered as appropriate.

SECTION 2: Repealer

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

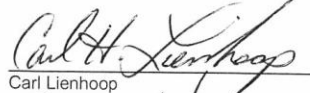
SECTION 3: Severability

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

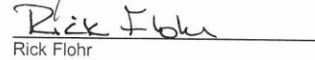
SECTION 4: Effective Date

This ordinance shall be effective upon adoption and any publication required by Indiana Law.

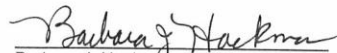
PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW
COUNTY, INDIANA ON FIRST READING THIS 14th DAY OF October, 2013.


Carl Lienhoop


Larry S. Kleinhenz


Rick Flohr

ATTEST:


Barbara J. Hackman, Auditor
Bartholomew County, Indiana

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW
COUNTY, INDIANA ON SECOND READING THIS _____ DAY OF _____, 2013.

Carl Lienhoop

Larry S. Kleinhenz

Rick Flohr

ATTEST:

Barbara J. Hackman, Auditor
Bartholomew County, Indiana

Prepared by the City of Columbus - Bartholomew County Planning Department
Jeffrey R. Bergman, AICP #014602 - Planning Director

ORDINANCE 2013-_____

AN ORDINANCE AMENDING A PORTION OF
ORDINANCE 2007-2 AND 2010-3 PERTAINING TO THE ESTABLISHMENT
AND COLLECTION BY THE BARTHOLOMEW COUNTY HEALTH DEPARTMENT
OF FEES FOR SPECIFIC SERVICES AND RECORDS

WHEREAS, the Bartholomew County Commissioners did, by Ordinance 1992-07, establish a schedule of fees for certain services performed by and records obtained from the Bartholomew County Health Department; and

WHEREAS, certain fees established by Ordinance 1992-07 were changed by Ordinances 2007-2 and 2010-3; and

WHEREAS, at the request of the Health Department, the Bartholomew County Commissioners believe it to be appropriate to amend a portion of Ordinances 2007-2 and 2010-3 to change fees charged for various services provided by the Health Department and various sections dealing with inspections performed by and licenses or permits issued by the Health Department.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW COUNTY, INDIANA AS FOLLOWS:

SECTION 1, SUBSECTION K of ORDINANCE 2007-2 formerly entitled "INJECTION FEES", is hereby retitled "IMMUNIZATION FEES" and is further amended, revised and changed to read as follows:

K. IMMUNIZATION FEES:

Injectable vaccines	At Insurance Pay Rate
Oral Vaccines	At Insurance Pay Rate
Nasal Mist Vaccines	At Insurance Pay Rate
All Pediatric Vaccines: Children who do not meet State Criteria for Vaccine For Children (VFC) or the 317 program	At Insurance Pay Rate
Administration Fee (per Immunization)	At Insurance Pay Rate

SECTION I, SUBSECTION L of Ordinance 2007-2 and Ordinance 2010-3 pertaining to fees charged for screenings are hereby amended, revised and changed to read as follows:

L. SCREENINGS

TB Skin Test	At Insurance Pay Rate
Blood Work	At Insurance Pay Rate
STD Testing	At Insurance Pay Rate
Administration Fee	At Insurance Pay Rate

SECTION I, SUBSECTION C of Ordinance 2007-2 pertaining to fees related to Mobile Retail Food Establishments is hereby amended, revised and changed to read as follows:

Annual	\$100.00
July through December	\$ 50.00

SECTION I, SUBSECTION A of Ordinance 2007-2 pertaining to Retail Food Establishments is hereby amended, revised and changed to read as follows:

RETAIL FOOD ESTABLISHMENT PERMANENT LOCATION

1-5 Employees	\$140.00 Annually \$ 70.00 July through December
6-10 Employees	\$240.00 Annually \$120.00 July through December
11 or More Employees	\$340.00 Annually \$170.00 July through December
Retail Food Application Fee	\$ 50.00

SECTION I, SUBSECTION G of Ordinances 2007-2 AND 2010-3 Pertaining to fees for certificates and other types of documents is hereby amended, revised and changed to read as follows:

BIRTH CERTIFICATE FEES

Regular (with sleeve)	\$10.00
Small (with sleeve)	\$10.00
Combination (both)	\$15.00

DEATH CERTIFICATE FEES

Each	\$10.00
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This Ordinance, and the amendments to the fee schedules contained therein shall be effective upon its passage.

The remainder of Ordinance 2007-2 and Ordinance 2010-3 shall remain unchanged.

PASSED ON FIRST READING THIS 7th DAY OF October, 2013.

BOARD OF COMMISSIONERS OF
BARTHOLOMEW COUNTY, INDIANA

Carl H. Lienhoop
Carl H. Lienhoop, Chairman

Richard A. Flohr
Richard A. Flohr, Member

Larry S. Kleinhenz, Member

ATTEST:

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

PASSED ON SECOND READING AND ADOPTED THIS ____ DAY OF
____, 2013.

BOARD OF COMMISSIONERS OF
BARTHOLOMEW COUNTY, INDIANA

Carl H. Lienhoop, Chairman

Richard A. Flohr, Member

Larry S. Kleinhenz, Member

ATTEST:

By: _____
Barbara J. Hackman, Auditor of
Bartholomew County, Indiana

correct

CONTRACTOR AGREEMENT

THIS AGREEMENT made this 14 of October, 2013, between Fred Terzo of Terzo and Bologna here in after called the Contractor, and Bartholomew County and the Bartholomew County Assessor.

WITNESSETH, that the Contractor and Bartholomew County and the Bartholomew County Assessor for the consideration named herein agree as follows:

ARTICLE 1.SCOPE OF THE WORK

The Contractor shall perform real estate consulting, analysis, appraisal consulting, and appraisal services for the Assessor's Office for the time period described in Article 2. The Contractor's work shall be limited to the scope of work as outlined by the written request(s) sent by the County Assessor, a copy of which is attached here to as Exhibit "A". The Contractor has the right to accept or reject any or all work requested. The County is not required to provide a minimum amount of work.

ARTICLE 2.TIME OF COMPLETION

This working agreement will begin on October 14, 2013 and continue through October 13, 2014 unless earlier terminated. This agreement may be terminated by either party upon 30 days written notice provided to the other party. This agreement can be extended for additional one year terms by written consent of both parties.

ARTICLE 3.THE CONTRACT PRICE

The Bartholomew County Assessor shall pay the Contractor for the labor to be performed under the Contract at the rate of \$150.00 per hour or by a specified dollar amount listed in the work order. Total amount will not exceed \$18,000 in any contract year. Contractor shall be paid by the regular claim voucher schedule.

By: <u><i>Carl H. Lienhoop</i></u>	Commissioner, Carl H. Lienhoop	Dated <u>10-14</u> 2013
By: <u><i>Larry S. Kleinhenz</i></u>	Commissioner, Larry S. Kleinhenz	Dated <u>10-14</u> 2013
By: <u><i>Richard A. Flohr</i></u>	Commissioner, Richard A. Flohr	Dated <u>10-14</u> 2013
By: <u><i>Lew Wilson</i></u>	County Assessor, Lew Wilson	Dated <u>10-14</u> 2013
By: _____	Contractor, Fred Terzo	Dated _____ 2013

President Terzo and Bologna

BARTHOLOMEW COUNTY ASSESSOR WORK ORDER Exhibit 'A'

THIS WORK ORDER is for labor performed as part of the contract agreement made on _____ day of October, 2013, by and between Terzo & Balogna, Inc. here in after called the Contractor, and Bartholomew County and the Bartholomew County Assessor. Additional 'Work Order's will be identified as Exhibit 'B', Etc.

SCOPE OF THE WORK:

The Scope of Work will be in three (3) Phases. These 3 Phases will be for 2010 only. Phase I would consist of a review of the existing property information including the PTBOA findings and any appraisals. The cost for Phase I would be \$150/Hour not to exceed \$1,000.

Phase II would consist of analyzing comparable market data to provide the Bartholomew County you with a reasonable range of value presented via an oral report. The cost for Phase II would be \$4,000. If a STAR trend report is not provided by the owner, then \$475 would be added.

Phase III would consist of preparation of a physical appraisal report in summary format for use by the county in the appeal. The cost for Phase III would be \$1,000.

If additional analysis is requested for 2011 or 2012 the fee for Phase II would be \$2,500 for each year and \$1,000 for Phase III for each year. This assumes that the 2010 analysis has already been completed.

This Work Order only authorizes Phase I, the cost not to exceed \$1,000. If other work is needed, then additional work orders will be issued.

This work order sent to Stephen Hurst's e-mail address (sjh@in.terzo.com), from the County Assessor's e-mail address (lew.wilson@bartholomew.in.gov) this _____ day of _____ 20__ by Lew Wilson, Bartholomew County Assessor.

RESOLUTION #2013- 05

RESOLUTION OF THE BOARD OF COMMISSIONERS
OF BARTHOLOMEW COUNTY, INDIANA TRANSFERRING
TITLE OF A BARTHOLOMEW COUNTY SHERIFF'S
DEPARTMENT PATROL VEHICLE TO THE TOWN BOARD
OF THE TOWN OF CLIFFORD, INDIANA

WHEREAS, Indiana Code 36-1-3 grants to all units of government, excepting townships, all powers that are necessary for the effective operation of government as to local affairs; and

WHEREAS, the Board of Commissioners of Bartholomew County, Indiana has received a recommendation from Mark Gorbett, Sheriff of Bartholomew County, Indiana, indicating that a number of patrol vehicles have accumulated a high number of miles and have experienced sufficient wear and tear that they are not suitable for continued use by the Sheriff's department and are no longer needed and may be considered surplus property of the Bartholomew County Sheriff's Department; and

WHEREAS, the Board of Commissioners of Bartholomew County, Indiana, hereafter designated as "Commissioners" is a governmental entity created by Indiana Statute; and

WHEREAS, the Town Council of the Town of Clifford, Indiana, is a governmental entity created by Indiana Statute; and

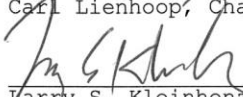
WHEREAS, Indiana Code 36-1-11 provides and allows that one governmental entity may transfer property to another governmental entity; and

WHEREAS, the Board of Commissioners of Bartholomew County, Indiana, has agreed to transfer a Bartholomew County Sheriff's Department patrol vehicle more specifically identified as a 2008 Crown Victoria, vehicle identification number 2FAFP71V48X155629 to the Town Board of the Town of Clifford, Indiana, and the Town Board of the Town of Clifford, Indiana, has agreed to accept the transfer of said patrol vehicle;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Bartholomew County, Indiana, to transfer a surplus Bartholomew County Sheriff's Department patrol vehicle, a 2008 Crown Victoria, vehicle identification number 2FAFP71V48X155629, to the Town Board of the Town of Clifford, Indiana, and to execute any and all documents necessary to effectuate said transfer.


ADOPTED AND PASSED BY THE BOARD OF COMMISSIONERS OF
BARTHOLOMEW COUNTY, INDIANA, this 14th day of
October, 2013.


Carl Lienhoop, Chairman


Larry S. Kleinhenz, Member


Richard A. Flohr, Member

ATTEST:

By: 
Barbara Hackman, Auditor of
Bartholomew County, Indiana