

COMMISSIONERS' MEETING

October 27, 2014

The Bartholomew County Commissioners met in regular session on October 27, 2014 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, County Attorney J. Grant Tucker and County Auditor Barbara Hackman were also in attendance.

County Assessor Lew Wilson gave the Invocation and led the Pledge of Allegiance.

The first item on the agenda was the approval of the October 20, 2014 Commissioners' Meeting Minutes. Commissioner Kleinhenz made a motion to approve the minutes. The motion was seconded by Commissioner Flohr and the motion passed unanimously.

Next was the approval of payroll. Commissioner Flohr made a motion to approve the payroll. Commissioner Kleinhenz seconded the motion which passed unanimously.

Next was the approval of two claims payable to GnA Assessment Professionals submitted last week, but payment was deferred to allow for reconciliation of the ledger account ensuring expenditures were within the budgeted contract. Assessor Lew Wilson explained that there are two contracts with GnA with some overlapping of last year's contracts. Additionally, they do not run on a calendar year, but rather from July 1 to July 1. Pricing varies and is divided among annual adjustment work, trending, cyclical reassessment, appeals work, and other services. Mr. Wilson cited some totals paid on the contracts and maintained that they were within the budgeted contract. Commissioner Kleinhenz made a motion to approve the two claims submitted 10/20/14 and payable to GnA in the amounts of \$4,769.74 and \$4,571.88. Commissioner Flohr seconded the motion which passed unanimously. County Auditor affirmed that the accounts payable

function within the Auditor's Office keeps organized records to ensure that claims are paid on the respective contracts.

The next item was weekly reports. Chairman Lienhoop read the New Permit Report dated 10/20/14 to 10/24/14. Thirty-eight (38) permits had been issued with a fee amount of \$5,421 and an estimated construction cost of \$3,794,902.

County Engineer Danny Hollander gave the County Highway Weekly Crew Report which included the following work: mowed in German, Wayne and Hawcreek Townships; put up signs; fixed washouts along 800S, Southern Crossing and 600E with rip rap; fixed the wood floor on 900N truss bridge; patched roads, replaced pipe on 850S, continued widening 325W; side-winded stone to make graveled shoulders along overlaid roads; and paved 550W, Base Road, and Executive Drive of the overlay project.

Engineer Hollander then requested the Commissioners' consideration of the Report of Contract Final Inspection and Recommendation for Acceptance of work completed for the 600N road project. Chairman Lienhoop made a motion to sign the Report of Contract Final Inspection and Recommendation for Acceptance for submission to INDOT. Commissioner Kleinhenz seconded the motion that passed unanimously.

Next, Planning Director Jeff Bergman presented for consideration, an Ordinance Adopting Updated Flood Insurance Rate Maps and Amending the Flood Hazard Area Standards of the Columbus and Bartholomew County Zoning Ordinance for the Jurisdiction of Bartholomew County. Mr. Bergman said that over the past few years FEMA has been revising their national flood hazard area maps. FEMA provided Bartholomew County's new map revisions for adoption in order to continue the County's eligibility to participate in the National Flood Insurance Program. This ordinance incorporates references to reflect the new maps and references to reflect the updated model floodplain regulation ordinance of the Indiana Department of Natural Resources (FEMA's Indiana agent). The proposed ordinance has been favorably recommended by the Plan Commission.

Chairman Lienhoop opened the meeting for public comment. Audience member Mike Lovelace asked if any new areas had been added to the flood plain. Mr. Bergman acknowledged that some flood areas expanded while other areas receded based on more refined calculations using better topographical information. There being no other comments from the public Chairman Lienhoop closed the meeting. Commissioner Kleinhenz made a motion to pass on first reading the Ordinance Adopting Updated Flood Insurance Rate Maps and Amending the Flood Hazard Area Standards of the Columbus and Bartholomew County Zoning Ordinance for the Jurisdiction of Bartholomew County. Commissioner Flohr seconded the motion that passed unanimously. Second reading of this ordinance will be presented during the Commissioners' Meeting on November 10, 2014.

Next, Solid Waste Management District Director Heather Siesel introduced Tricia Pontrich, the new Solid Waste Management Education Coordinator, who presented the Recycling Center Volumes through September, 2014. Residential Recycling Volumes for August and September Residential Volumes show Saturdays as the heaviest traffic day followed by Tuesdays and Thursdays. Commercial Recycling Volumes showed an increase in books recycling due to a book drop off at the County Jail in September. Newspapers volumes were trending as the second highest recyclable item for the Satellite Recycling Program. The Landfill Reuse Center volumes are down which reflects the seasonal trend. Electronics Recycling is trending at roughly 19,000 pounds every three months, which is good for the relatively new program.

Ms. Pontrich went on to say over 40 educational programs are currently booked through school year-end. Upcoming events include:

Amnesty Day	Nov. 15 th	Recycling Center
Déjà Vu Art & Fine Craft Show	Nov. 15 th	The Commons
Get Caught Recycling	Nov. 14 th	Various Recycling Locals

Commissioner Kleinhenz made a motion to accept the SWMD Recycling Report as presented. Chairman Lienhoop seconded the motion that passed unanimously.

For the next agenda item, Sheriff's Department Deputy Dave Steinkoenig presented a request for a grant application to Bartholomew County Substance Abuse Council for \$8,000 for drug and alcohol enforcement. The grant would fund a task force to serve warrants on drug and alcohol offenses. This is a repeat grant requiring no county matching and funds are received upfront and budgeted by the County for the 2015 calendar year. Commissioner Kleinhenz made a motion to sign the grant application request. Commissioner Flohr seconded the motion that passed unanimously.

Next, County Assessor Lew Wilson presented for consideration an agreement with Appraiser's Inc. for occasional professional and consultative services for *commercial* properties under appeal with the Assessor's Office. The contract term runs from 10/27/14 through 10/27/15. The rate runs \$250 per hour, not to exceed \$12,000 per contract year. Chairman Lienhoop made a motion to enter into the agreement with Appraiser's Inc. Commissioner Kleinhenz seconded the motion that passed unanimously.

Likewise, Assessor Wilson presented an agreement with Quality Appraisal Services, Inc. for occasional professional and consultative services for *residential* properties under appeal. The contract term runs from 10/27/14 through 10/27/15. The rate runs \$65 per hour, not to exceed \$3,500 per contract year. Commissioner Kleinhenz made a motion to enter into the agreement with Quality Appraisal Services, Inc. Commissioner Flohr seconded the motion that passed unanimously.

The next item of business was the consideration of bids for one (1) 2014 or 2015, 4-door, front-wheel drive vehicle for the Assessor's Office. Four (4) bids were opened and read as follows:

Bidder	Vehicle	Bid
Bob Poynter Chrysler Dodge Jeep, Inc.		
	2015 Dodge Dart SE	\$ 16,842
	2015 Hyundai Elantra SE	\$ 17,810
Renner Motors, Inc.		
	2014 Ford Focus Sedan SE	\$ 17,900
	2015 Honda Civic Sedan LX	\$ 18,838

Chairman Lienhoop made a motion to take the bids under advisement. Commissioner Kleinhenz seconded the motion that passed unanimously.

Next was the monthly Animal Control Report for September, 2014. Animal Control Officer Mark Case read the report as follows: there was a total of 151 cases, 63 animals were picked up, 102 audits, 9 violations, 3 fines, 1 bite case, 8 door hangers placed, 7 reclaimed animals and 12 traps loaned to the public. The two vans traveled a total of 4,404 miles. Commissioner Kleinhenz made a motion to accept the September, 2014 Animal Control Report as presented. Commissioner Flohr seconded the motion which passed unanimously.

The next item on the agenda was to ask the elected officials to temporarily give up their parking spaces on the North side of the building from Monday, November 3, through Monday, November 10, to accommodate taxpayers paying taxes due November 10, 2014.

There being no other business the meeting was adjourned by Chairman Lienhoop at 11:00 a.m. The next Commissioners' Meeting will be held on Monday, November 3, 2014 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

ORDINANCE NO.: _____, 2014

AN ORDINANCE ADOPTING UPDATED FLOOD INSURANCE RATE MAPS AND AMENDING THE FLOOD HAZARD AREA STANDARDS OF THE COLUMBUS & BARTHOLOMEW COUNTY ZONING ORDINANCE FOR THE JURISDICTION OF BARTHOLOMEW COUNTY

Favorably Recommended by

Bartholomew County Plan Commission General Resolution 2014-02

WHEREAS, on February 4, 2008 the Board of Commissioners of Bartholomew County, Indiana passed Ordinance No. 3, 2008 adopting a replacement zoning ordinance, including zoning maps, for the

jurisdiction of Bartholomew County; and

WHEREAS, the replacement zoning ordinance also includes the flood hazard area standards for the

community; and

WHEREAS, since that ordinance's effective date of April 1, 2008 its effectiveness, legality, and clarity

have been subject to regular and on-going review by the Bartholomew County Plan Commission and its

professional staff; and

WHEREAS, this review of the zoning ordinance is both an expected and planned component of its

administration and is necessary for the ordinance's long-term maintenance and relevance; and

WHEREAS, the Federal Emergency Management Agency has issued a final flood hazard determination for Bartholomew County and all Incorporated Areas that updates Bartholomew County's Flood

Insurance Study Report and Flood Insurance Rate Maps (FIRM); and

WHEREAS, the Indiana Department of Natural Resources adopted an updated model ordinance for

flood hazard areas in 2013; and

WHEREAS, Bartholomew County is required, as a condition of continued eligibility in the National Flood Insurance Program, to adopt the updated Flood Insurance Study Report and Flood Insurance Rate

Maps in a legally enforceable document on or before December 9, 2014; and

WHEREAS, the County's participation in the National Flood Insurance Program makes reduced-cost

flood insurance available to local property owners; and

WHEREAS, the recommended zoning ordinance revisions include amendments to the existing flood

hazard area standards to reflect changes made to the Indiana Department of Natural Resources model

ordinance for flood hazard areas and adopt the updated Flood Insurance Study Report and Flood Insurance

Rate Maps; and

WHEREAS, these revisions were prepared 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 Bartholomew County Comprehensive Plan, adopted in a series of elements from 1999 through 2012, provides the policy guidance for the creation and revision of the zoning ordinance,

including the flood hazard area standards; and

WHEREAS, the Bartholomew County Plan Commission did, on October 8, 2014, hold a legally advertised public hearing on the zoning ordinance revisions and has certified a favorable recommendation

to the County Commissioners; and

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WHEREAS, the County Commissioners have considered the criteria provided by IC 36-7-4-603; including (1) the Comprehensive Plan, (2) the current conditions in each district, (3) the most desirable use for land in each district, (4) the conservation of property values, and (5) responsible growth and development.

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

SECTION 1: Zoning Ordinance Flood Hazard Area Standards Amended

The flood hazard area standards of the Columbus & Bartholomew County Zoning Ordinance are amended

for the jurisdiction of the City of Columbus as follows:

1. Section 4.7(A) is revised to read as follows: "The Indiana Legislature has in IC 36-7-4 granted the power to local government units..."
2. Section 4.7(A)(1)(b) is revised to read as follows: "...hazardous to other lands which are inadequately elevated, inadequately flood-proofed, or otherwise unprotected from flood damages."
3. Section 4.7(A)(2)(f) is revised to read as follows: "Make federal flood insurance available for structures..."
4. Section 4.7(A)(3)(g) is deleted.
5. Section 4.7(B) is revised for the terms "A zone, Zone A", "A zone, Zone AE and A1-A30", "A zone, Zone AO", "A zone, Zone AH", "A zone, Zone AR", and "A zone, Zone A99" to remove the following text: "Mandatory flood insurance purchase requirements apply."
6. Section 4.7(B) is revised for the term "Accessory Structure" to be defined as follows: "(appurtenant structure) means a structure with a floor area 400 square feet or less that is located on the same parcel..."
7. Section 4.7(B) is revised to delete a note in the margin that reads as follows: "The IDNR model ordinance defined "appeal" as both an appeal of the administrator's decision and a variance application. This definition has been altered to be in conformance with the use of the term "appeal" common to zoning ordinances."
8. Section 4.7(B) is revised to include the term "Base Flood" which is defined as follows: "means the flood having a one percent chance of being equaled or exceeded in any given year."
9. Section 4.7(B) is revised to include the term "Boundary River" which is defined as follows: "means the part of the Ohio River that forms the boundary between Kentucky and Indiana."

10. Section 4.7(B) is revised to include the term "Boundary River Floodway" which is defined as follows:

"means the floodway of a boundary river."

11. Section 4.7(B) is revised for the term "Critical Facility" to be defined as follows: "...police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste."

12. Section 4.7(B) is revised to include the term "D Zone" which is defined as follows: "means unstudied areas where flood hazards are undetermined, but flooding is possible. Flood insurance is available in participating communities but is not required by regulation in this zone."

13. Section 4.7(B) is revised for the term "Development" where item "b" is defined as follows: "...manufactured home or installing a recreational vehicle on a site for more than 180 days."

14. Section 4.7(B) is revised to delete the term "Encroachment."

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15. Section 4.7(B) is revised to delete the term "Existing Construction."

16. Section 4.7(B) is revised to delete the term "Flood Hazard Boundary Map (FHBM)."

17. Section 4.7(B) is revised to delete the term "Functionally Dependent Facility."

18. Section 4.7(B) is revised to include the term "Letter of Final Determination (LFD)" which is defined as follows: "means a letter issued by FEMA during the mapping update process which establishes final

elevations and provides the new flood map and flood study to the community. The LFD initiates the six-month adoption period. The community must adopt or amend its floodplain management regulations during this six-month period unless the community has previously incorporated an automatic adoption clause."

19. Section 4.7(B) is revised to include the term "Letter of Map Change (LOMC)" which is defined as follows: "is a general term used to refer to the several types of revisions and amendments to FEMA

maps that can be accomplished by letter. They include Letter of Map Amendment (LOMA), Letter of

Map Revision (LOMR), and Letter of Map Revision based on Fill (LOMR-F). The definitions are presented below." The existing terms LOMA, LOMR, and LOMR-F are indented and organized below

this new term.

20. Section 4.7(B) is revised for the term "Letter of Map Amendment (LOMA) to be defined as follows:

"means an amendment by letter to the currently effective FEMA map that establishes that a property is not located in a SFHA through the submittal of property specific elevation data. A LOMA is only issued by FEMA."

21. Section 4.7(B) is revised for the term "Lowest Floor" to be defined as follows: "means the lowest

elevation described among the following..." Also, item "e" of this term is revised as follows: "The top

of the floor level of any enclosure, other than a basement, below an elevated structure where the

walls of the enclosure provide any resistance to the flow of flood waters unless: (i) the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry

and exit of flood waters by providing a minimum of two openings (in addition to doorways and windows) in a minimum of two exterior walls; if a structure has more than one enclosed area, each

shall have openings on exterior walls; (ii) the total net area of all openings shall be at least one (1) square inch for every one square foot of enclosed area; the bottom of all such openings shall be no

higher than one (1) foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher; and, (iii) such enclosed space shall be usable solely for the parking of

vehicles and building access.”

22. Section 4.7(B) is revised to delete the term “Map amendment.”

23. Section 4.7(B) is revised to delete the term “Map panel number.”

24. Section 4.7(B) is revised to include the term “Non-Boundary River Floodway” which is defined as

follows: “means the floodway of any river or stream other than a boundary river.”

25. Section 4.7(B) is revised to delete the term “Participating Community.”

26. Section 4.7(B) is revised to delete the term “Probation.”

27. Section 4.7(B) is revised for the term “Repetitive Loss” to be defined as follows: “...during a 10-year

period for which the cost of repairs at the time of each such flood event, on the average, equaled or

exceeded 25% of the market value of the structure before the damaged occurred.”

28. Section 4.7(B) is revised for the term “Special Flood Hazard Area (SFHA)” to be defined as follows:

“means those lands within the jurisdiction of the City of Columbus and Bartholomew County subject to

inundation by the regulatory flood. The SFHAs of the City of Columbus and Bartholomew County are

generally identified as such on the Bartholomew County, Indiana and Incorporated Areas Flood Insurance Rate Map dated December 9, 2014 as well as any future updates, amendments, or

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revisions, prepared by the Federal Emergency Management Agency with the most recent date.

(These areas are shown on a FIRM as Zone A, AE, A1- A30, AH, AR, A99, or AO).”

29. Section 4.7(B) is revised for the term “Start of Construction” to be defined as follows: “...The actual

start means the first placement or permanent construction of a structure on a site, such as the pouring

of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home...”

30. Section 4.7(B) is revised to delete the term “Water Surface Elevation.”

31. Section 4.7(B) is revised for the term “Zone” to be defined as follows: “...geographical area shown on

a FIRM that reflects...”

32. Section 4.7(C)(1) is revised to read as follows: “...shall apply to all SFHAs, 500-year floodplain areas,

and known flood prone areas within the jurisdictions...”

33. Section 4.7(C)(2) is revised to read as follows: "...Whenever a party disagrees with the best available data, the party needs to replace existing data with better data that meets current engineering standards. To be considered, this data must be submitted to the Indiana Department of Natural Resources for review and subsequently approved."

34. Section 4.7(C)(2)(a) is deleted and replaced with the following: "The regulatory flood elevation, floodway, and fringe limits for the studied SFHAs and 500-year floodplains within the jurisdictions of the City of Columbus and Bartholomew County shall be as delineated on the flood profiles in the Flood Insurance Study of Bartholomew County, Indiana and Incorporated Areas and the corresponding Flood Insurance Rate Map dated December 9, 2014 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date."

35. Section 4.7(C)(2)(b) is deleted and replaced with the following: "The regulatory flood elevation, floodway, and fringe limits for each of the SFHAs within the jurisdictions of the City of Columbus and Bartholomew County delineated as an "A Zone" on the Bartholomew County, Indiana and Incorporated Areas Flood Insurance Rate Map dated December 9, 2014 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date, shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile (see also Section 4.7(K))"

36. Section 4.7(C)(2)(d) in its entirety is reorganized to replace the existing text as Section 4.7(C)(2)(c) and is revised to read as follows: "...provided the upstream drainage area from the subject site is greater than one square mile (see also Section 4.7(K))"

37. Section 4.7(C)(2)(d) is added to read as follows: "Upon issuance of a Letter of Final Determination (LFD), any more restrictive data in the new (not yet effective) mapping/study shall be utilized for permitting and construction (development) purposes, replacing all previously effective less restrictive flood hazard data provided by FEMA."

38. Section 4.7(C)(6)(b) is revised to read as follows: "...is above the base flood elevation and not located within the floodway, that site shall be considered..."

39. Section 4.7(C)(9)(b) is revised to read as follows: "...All costs connected therewith shall accrue to the person or persons responsible."

40. Section 4.7(D)(1) is revised to read as follows: "...to the appropriate Floodplain Administrator on forms furnished by him or her prior to any development activities...storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically the following..."

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41. Section 4.7(D)(1)(a)(v) is revised to read as follows: "Elevation of the top of the planned lowest floor..."

42. Section 4.7(D)(1)(a)(vii) is revised to read as follows: "...as a result of proposed development. A

hydrologic and hydraulic engineering study is required and any watercourse changes submitted to

DNR for approval and then to FEMA as a Letter of Map Revision (See Section 4.7(D)(2)(e) for additional information.)"

43. Section 4.7(D)(1)(b) is revised to delete the existing text and add Section 4.7(D)(1)(b)(i) and Section

4.7(D)(1)(b)(ii) and will read as follows: "Construction Stage: (i) Upon establishment of the lowest floor

of an elevated structure or structure constructed on fill, it shall be the duty of the applicant to submit to

the Floodplain Administrator a certification of the NAVD 88 or NGVD 1929 elevation of the lowest floor, as built. Said certification shall be prepared by or under the direct supervision of a registered

land surveyor or professional engineer and certified by the same. The Floodplain Administrator shall

review the lowest floor elevation survey data submitted. The applicant shall correct deficiencies detected by such review before any further work is allowed to proceed. Failure to submit the survey

or failure to make said corrections required hereby shall be cause to issue a stop-work order for the

project. Any work undertaken prior to submission of the elevation certification shall be at the applicant's risk. (ii) Upon establishment of the floodproofed elevation of a floodproofed structure, it

shall be the duty of the applicant to submit to the Floodplain Administrator a floodproofing certificate.

Certification shall be prepared by or under the direct supervision of a registered professional engineer

and certified by same. (The Floodplain Administrator shall review the floodproofing certification submitted.) The applicant shall correct any deficiencies detected by such review before any further

work is allowed to proceed. Failure to submit the floodproofing certification or failure to make correction required shall be cause to issue a stop-work order for the project."

44. Section 4.7(D)(1)(b) has been revised to include a margin note that reads as follows: "The Chief Code

Enforcement Officer will integrate the needed inspections and certifications with the typical building

inspection process."

45. Section 4.7(D)(1)(c) is added as follows: "Completion Stage: Upon completion of construction, an

elevation certification which depicts the "as-built" lowest floor elevation is required to be submitted to

the Floodplain Administrator. If the project includes a floodproofing measure, floodproofing certification is required to be submitted by the applicant to the Floodplain Administrator."

46. Section 4.7(D)(2) is reorganized and revised as follows:

a. Subsection (e) becomes subsection (f), subsection (f) becomes subsection (g), subsection (g) becomes subsection (h), subsection (h) becomes subsection (i), subsection (i) becomes subsection (k), and subsection (j) becomes subsection (l);

b. A replacement subsection (e) is added and reads, "Maintain Records: Maintain and track

permit records involving additions and improvements to residences located in the floodway”;

c. A replacement subsection (j) is added and reads, “Review Plans: Review certified plans and specifications for compliance.”

d. The following subsections are revised as follows:

i. Section 4.7(D)(2)(d) is revised to read as follows: “...Copies of such permits/authorizations are to be maintained on file...”

ii. Section 4.7(D)(2)(e) [renumbered as subsection (2)(f) as described above] is revised to read as follows: “Notify adjacent communities and the State Floodplain Coordinator prior...”

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iii. Section 4.7(D)(2)(f) [renumbered as subsection (2)(g) as described above] is revised to read as follows: “...regulatory flood data, SFHA maps, Letters of Map Change (LOMC), copies of DNR permits, and floodplain analysis...”

iv. Section 4.7(D)(2)(g) [renumbered as subsection (2)(h) as described above] is revised to read as follows: “Utilize and enforce all Letters of Map Change (LOMC) or Physical Map Revisions (PMR) issued by FEMA...”

47. Section 4.7(E)(10) is deleted.

48. Section 4.7(F)(1)(a) is revised to read as follows: “Construction or placement of any structure having a floor area greater than 400 square feet.”

49. Section 4.7(F)(1)(b) is revised to read as follows: “Addition or improvement made to any existing structure where the cost of the addition or improvement equals or exceeds 50% of the value of the existing structure (excluding the value of the land).”

50. Section 4.7(F)(1)(g) is added as follows: “Addition or improvement made to any existing structure with a previous addition or improvement constructed since the community’s first floodplain ordinance for the applicable jurisdiction (City or County).”

51. The interpretation note included in the page margin in Section 4.7(F) is revised to read as follows:

“IDNR interprets Section 4.7(F)(1) as follows: (a) indicates that all new structures with a floor area greater than 400 square feet shall be protected from flood damage below the FPG (elevated or floodproofed), (b) indicates that any addition (to an existing structure having an area over 400 square feet) for which the cost of the addition equals or exceeds 50% of the value of the existing structure (excluding the land), requires the addition, but not the existing structure, to be protected from flood

damage below the FPG at the time the addition is made to that structure, (c) indicates that reconstruction or repairs (to any existing structure over 400 square feet) resulting from damage (by any cause) that equals or exceeds 50% of the value of the structure (excluding the land) shall only be conducted if the structure being reconstructed or repaired is protected from flood damage below the FPG (elevated or floodproofed), (g) indicates that any addition (to an existing structure having an area

over 400 square feet) for which the addition is the second such addition (of any value) made to the structure since the local adoption of floodplain regulations, then the addition, but not the existing structure (including the first addition), must be protected from flood damage below the FPG at the time

the addition is made to that structure.”

52. Section 4.7(F)(3)(a) is revised to read as follows: “...Such certification shall be provided to the official

as set forth in Section 4.7(D)(2)(l).”

53. Section 4.7(F)(5)(a) is revised to read as follows: “...or Modified Proctor Test method. The results of

the test showing compliance shall be retained in the permit file.”

54. Section 4.7(F)(5)(b) is revised to read as follows: “The fill shall extend 10 feet beyond the foundation

of the structure before sloping below the BFE.”

55. Section 4.7(F)(5)(b) is revised to delete a note in the margin that reads as follows: “The IDNR considers the fill requirements contained in Section 4.7(F)(5)(b) to be mandatory. This “should” statement is to be considered as a “shall” statement; a requirement.”

56. Section 4.7(F)(6) is deleted and replaced with the following:

Manufactured Homes and Recreational Vehicles: Manufactured homes and recreational vehicles to

be installed or substantially improved on a site for more than 180 days must meet one of the following

requirements:

a. These requirements apply to all manufactured homes to be placed on a site outside a manufactured home park or subdivision; in a new manufactured home park or subdivision; in an expansion to an existing manufactured home park or subdivision; or in an existing

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manufactured home park or subdivision on which a manufactured home has incurred “substantial damage” as a result of a flood:

i. The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

ii. Fully enclosed areas formed by foundation and other exterior walls below the FPG shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Section 4.7(F)(4).

b. These requirements apply to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood:

i. The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elevations that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

ii. Fully enclosed areas formed by foundation and other exterior walls below the FPG shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Section 4.7(F)(4).

c. Recreational vehicles placed on a site shall either:

i. be on site for less than 180 days;

ii. be fully licensed and ready for highway use (defined as being on its wheels or jacking

system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or

iii. meet the requirements for “manufactured homes” as stated earlier in this Chapter.

57. Section 4.7(F)(7) is added as follows:

Accessory Structures: Relief to the elevation or dry floodproofing standards may be granted for accessory structures. Such structures must meet the following standards:

a. Shall not be used for human habitation.

b. Shall be constructed of flood resistant materials.

c. Shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters.

d. Shall be firmly anchored to prevent flotation.

e. Service facilities such as electrical and heating equipment shall be elevated or floodproofed to or above the FPG.

f. Shall be designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in Section 4.7(F)(4).

58. Section 4.7(F)(8) is added as follows: “Above Ground Gas or Liquid Storage Tanks: All above ground

gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement.”

59. Section 4.7(I)(2)(b) is revised to read as follows: “...taken by the Floodplain Administrators until a

permit or letter of authorization (when applicable) has been issued by the Indiana Department of Natural Resources granting approval for construction in the floodway. Once a permit for construction

in a floodway or letter of authorization has been issued by the Indiana Department of Natural Resources...”

60. Section 4.7(I)(2)(c) is revised to read as follows: “No development shall be allowed, which acting

alone or in combination with existing or future development, that will adversely affect the efficiency of,

or unduly restrict the capacity of the floodway. This adverse effect is defined as an increase in the elevation of the regulatory flood of at least fifteen-hundredths (0.15) of a foot as determined by comparing the regulatory flood elevation under the project condition to that under the natural or prefloodway

condition as proven with hydraulic analyses. The increase in the regulatory flood resulting from any development shall be determined by IDNR as an element of the permit review process. In no

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instance shall the City of Columbus or Bartholomew County be assumed to have responsibility for this

determination.”

61. Section 4.7(I)(2)(d) is revised to read as follows: “For all projects involving channel modifications or fill

(including levees) the Floodplain Administrator shall submit the data and request that the Federal Emergency Management Agency revise the regulatory flood data per mapping standard regulations

found at 44 §CFR 65.12. Such request shall be included in the community’s biennial report submission to the Federal Emergency Management Agency.”

62. Section 4.7(K)(1)(a) is revised to read as follows: “...either a permit for construction in a floodway

(including letters of authorization) or a floodplain analysis/regulatory assessment citing the onepercent annual chance flood elevation and the recommended Flood Protection Grade...”

63. Section 4.7(K)(1)(b) is revised to read as follows: “...received the proper permit for construction in a

floodway (including letters of authorization) or floodplain analysis/regulatory assessment...”

64. Section 4.7(K)(2) is revised to read as follows: “...to provide an engineering analysis showing the

limits of the floodplain and one-percent annual chance flood elevation for the site.”

65. Section 4.7(K)(3) is revised to read as follows: “...regulatory flood more than 0.14 of one foot and

shall not increase flood damages...”

66. Section 4.7(M)(2) is revised to add the following: ‘The Planning Director may, upon the advice of a

qualified engineer, exempt from the modeling requirement development activities that are so minimal

that any conceivable impact would also be minimal and likely not detectable. To the extent possible,

these activities shall be included in the base model, consistent with Section 4.7(M)(2)(c).”

67. Section 4.7(N)(4) is revised to read as follows: “Any applicant to whom a variance is granted that

allows the lowest floor of a structure to be built below the flood protection grade shall be given written

notice specifying the difference between the flood protection grade and the elevation to which the lowest flower is to be built and stating that the cost of the flood insurance will be commensurate with

the increased risk resulting from the reduced lowest floor elevation. A written notice shall be signed by

a community official. The written notice shall state that:”

68. Section 4.7(N)(4)(a) is revised to read as follows: “...variance to construct a structure below the flood

protection grade will result in increased...”

69. Section 4.7(N)(4)(b) is revised to read as follows: “Such construction below the flood protection grade

increases risks to life and property.”

70. Section 4.7(N) has been revised to include a margin note that reads as follows: “The description of the

standards for variance notification and the conditions for variances have been reorganized from the

IDNR model ordinance to eliminate duplicate text.”

71. Section 4.7(N)(5) is revised to read as follows: “...Department of Natural Resources upon request

[See also Section 4.7(N)(4)]. The Floodplain Administrator will also maintain a record of all variance

actions, including justification for their issuance.”

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.

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SECTION 4: Effective Date

This Ordinance shall be effective on December 9, 2014.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW COUNTY, INDIANA ON FIRST READING THIS ____ DAY OF _____, 2014.

Carl H. Lienhoop Larry S. Kleinhenz

Richard A. 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 _____, 2014.

Carl H. Lienhoop Larry S. Kleinhenz

Richard A. 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

