

## COMMISSIONERS' MEETING

October 2, 2023

The Bartholomew County Commissioners met on October 2, 2023, in the Commissioners Chambers of the Governmental Office Building, 440 Third Street, Columbus, Indiana. Commissioners Larry S. Kleinhenz, Carl H. Lienhoop, Tony London, County Administrator Tina Douglas, Assistant County Administrator Brooke Bowers, Auditor Pia O'Connor, and Attorney Grant Tucker were in attendance.

Commissioner London opened the meeting.

Commissioner London gave the invocation and led the Pledge of Allegiance.

The first item was the Approval of Minutes of September 25, 2023.

**Commissioner Lienhoop motioned to Approve the September 25, 2023 Minutes, as presented. Commissioner Kleinhenz seconded the motion, which passed unanimously.**

The next item was the Approval of Payroll. **Commissioner Kleinhenz motioned to Approve Payroll as presented. Commissioner Lienhoop seconded the motion, which passed unanimously.**

The next item was the weekly permits report as read by Commissioner London:

<i>Time frame</i>	<i>New permits</i>	<i>Fees</i>	<i>Value</i>
<i>09/25/23 to 09/29/23</i>	<i>27</i>	<i>\$4,490</i>	<i>\$1,729,293</i>

The next item was the Highway Crew Report as presented by Highway Engineer Danny Hollander as follows: replaced culvert pipes on 900 E and Base Road; cut brush in Lowell Addition and Taylorsville alleys; cut limbs on 900 E and in Grammer; patched roads; mowed in Ohio and Wayne Townships; put up signs. Commissioner London asked about the overlay project and Engineer Hollander said they are making good progress. About five roads are ready to pave with a few more that need time to settle or require a new culvert pipe.

The next item was the Consideration of the Right of Way Dedication as presented by Director Jeff Bergman of the Planning Department. A request was submitted by Nancy J. Essex Banta, Et al. to create 1 new lot (1.010 acres), for one lot and a parent tract remainder totaling +/- 35.5 acres. Also on the same plat, relocating property lines between 6 other parent tracts over +/- 172 acres. The new lot is to be located across the street from 14052 North 575 East, in Flatrock Township. County Road 575 East is classified as a local road, requiring 25 feet of right-of-way to be dedicated along the new lot. The

applicant is dedicating the required amount of right-of-way, being 0.125 acres along 575 East. **Commissioner Lienhoop motioned to approve the Consideration of the Right of Way Dedication as presented. Commissioner Kleinhenz seconded the motion which passed unanimously.**

The next item was the Second Reading of the Consideration of the Franklin Snyder Rezoning Ordinance as presented by Director Jeff Bergman of the Planning Department as follows:

1. *RZ-2023-001: Franklin Snyder Rezoning*
  - a. *Franklin (“Rick”) Snyder*
  - b. *48 acres / 2 parcels*
  - c. *Taylorville – east of the intersection of Bear Lane and Hubler Drive*
  - d. *German Township*

Franklin (“Rick”) Snyder proposes to rezone his 48-acre Taylorville-area property from RM (Residential: Multi-Family) to I1c (Industrial: Light with commitments). Mr. Snyder has indicated that the proposed rezoning is for future light industrial development and that there is an interested buyer for a portion of the property. The property has been the subject of a series of rezoning and other applications in recent years. Those previous requests have identified needed infrastructure improvements in the area (such as the extension of 700 North) buffering for adjacent Taylorville homes, and protections for the area’s drinking water wellfield. The plan commission’s favorable recommendation incorporates commitments from prior rezoning that address these needs as part of any future development of the property which are listed as follows:

- *The construction of 700 North across the entire frontage of the subject property.*
- *The construction of an asphalt pedestrian path, with a minimum width of 8 feet, within the Mill Street right-of-way from the current western terminus of Mill Street to the intersection of Bear Lane and Hubler Drive. If Bear Lane is extended east from the intersection with Hubler Drive, the pedestrian path may be a concrete sidewalk on the north side of that portion of Bear Lane extended.*
- *Any development on any lot(s) included within the subject property that have frontage on Hubler Drive must have a concrete sidewalk, a minimum of 5 feet in width, along that lot’s Hubler Drive frontage.*
- *Any development on any lot(s) included within the subject property that is adjacent to residentially zoned properties, including those residentially zoned properties on the south side of the Mill Street right-of-way, shall include a Type A Buffer, as defined by the current Bartholomew County Zoning Ordinance.*
- *The stormwater management for the property shall be consistent and comply with the documented Bartholomew County MS4 requirements, as well as regulations and best practices*

*as issued by the Indiana Department of Environmental Management (IDEM) for wellhead protection.*

- *All polluted waters generated on the property will be directed to the sanitary sewer system. The property owner(s) and/or operator(s), as appropriate, will maintain an inventory and spill prevention plan for their facility(ies) for all cleaning/disinfecting agents, hazardous waste materials, and sewage.*
- *The development of the property shall include groundwater quality monitoring wells and associated access easements subject to the review and approval of Eastern Bartholomew Water Corporation before the issuance of any zoning compliance certificate or building permit for the property.*
- *No vehicle access from the subject property shall be permitted to Mill, 1st, or 3rd Streets, with all vehicle access to be from Bear Lane, Hubler Drive, and/or 700 North.*

Bartholomew County Plan Commission held a public hearing on September 13, 2023, and has certified a favorable recommendation to the Board of Commissioners. Two Taylorsville homeowners spoke at the hearing. They expressed concern about vehicle connections to the nearby Mill, 1<sup>st</sup>, and 3<sup>rd</sup> streets. They also expressed mixed opinions on a pedestrian connection between Taylorsville through the development of the commercial businesses along US Highway 31, with one couple opposed to a connection and the other in support of it. Commissioner London opened it up for the **2<sup>nd</sup> public hearing**. Commissioner London closed the public hearing after no other questions. **Commissioner Lienhoop motioned to approve the Rezoning Ordinance of the Franklin Snyder Rezoning as presented. Commissioner Kleinhenz seconded the motion which passed unanimously.**

The next item was the Consideration of a Resolution of the Board of Commissioners Approving the Sale of Real Estate owned by Columbus Regional Health as presented by CRH General Counsel Katie Cordell and Julie Stamper (via Zoom) as follows:

***RESOLUTION 2023-11***  
***Board of Commissioners***  
***Of Bartholomew County, Indiana***  
***Approving Sale of Real Estate***

***WHEREAS, pursuant to IC 16-22-3-17 (“Act”), the Board of Trustees of Columbus Regional Hospital (“CRH”) has determined that certain real property located at 2641 18<sup>th</sup> Street in the City of Columbus, Indiana (Property) is no longer necessary for hospital purposes and should be sold;***

*WHEREAS, the Act provides that CRH may establish the time, terms, and conditions of the sale of the Property;*

*WHEREAS, the Act requires, prior to the sale of the Property:*

- (i) Appraisal of the Property by three (3) disinterested owners of taxable real property in Bartholomew County (“County”);*
- (ii) Publication by CRH of a notice of the sale one (1) time at least seven (7) days before the date of the sale; and*
- (iii) Approval of the sale by the Board of Commissioners of the County; and*

*WHEREAS, CRH has:*

- (i) Received the appraisal of the Property;*
- (ii) Negotiated the sale of the Property with Blackburn Properties, LLC;*
- (iii) Requested approval of the sale by the Board of Commissioners;*

***NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW COUNTY, INDIANA, THAT:***

*Section 1. The Board of Commissioners hereby approves the sale of the Property.*

*Section 2. This Resolution shall be in full force and effect from and after passage.*

This makes the 13<sup>th</sup> of 13 homes (see table below) to be sold due to a change in future planning that will see no further expansion at this location. Originally scheduled to be sold in 2021, the property was used by travel nurses contracted by CRH after the sale fell through. CRH has received this new request to purchase the property.

Address	Year Acquired	Purchased Price
2650 19 <sup>th</sup> St	2017	\$139,700
2670 19 <sup>th</sup> St	2016	\$151,800
2686 19 <sup>th</sup> St	2008	\$126,000
2690 19 <sup>th</sup> St	2016	\$145,200
2691 19 <sup>th</sup> St	2016	\$155,100
2641 19 <sup>th</sup> St	2007	\$121,300
2641 18 <sup>th</sup> St	2015	\$150,700
2680 18 <sup>th</sup> St	2016	\$150,700
2611 17 <sup>th</sup> St	1991	\$78,500
2625 17 <sup>th</sup> St	1980	\$51,500
2433 17 <sup>th</sup> St	1995	\$88,000

2429 17 <sup>th</sup> St	1981	\$95,500
2550 16 <sup>th</sup> St	2001	\$160,000

**Commissioner London motioned to Adopt Resolution 2023-11. Commissioner Kleinhenz seconded the motion which passed unanimously.**

The next item was the Consideration of a Resolution of the Board of Commissioners Approving the Sale of Real Estate owned by Columbus Regional Health as presented by CRH General Counsel Katie Cordell and Julie Stamper (via Zoom) as follows:

***RESOLUTION 2023-12***  
***Board of Commissioners***  
***Of Bartholomew County, Indiana***  
***Approving Sale of Real Estate***

***WHEREAS***, pursuant to IC 16-22-3-17 (“Act”), the Board of Trustees of Columbus Regional Hospital (“CRH”) has determined that certain real property located at **2670 19th Street** in the City of Columbus, Indiana (Property) is no longer necessary for hospital purposes and should be sold;

***WHEREAS***, the Act provides that CRH may establish the time, terms, and conditions of the sale of the Property;

***WHEREAS***, the Act requires, prior to the sale of the Property:

- (iv) Appraisal of the Property by three (3) disinterested owners of taxable real property in Bartholomew County (“County”);
- (v) Publication by CRH of a notice of the sale one (1) time at least seven (7) days before the date of the sale; and
- (vi) Approval of the sale by the Board of Commissioners of the County; and

***WHEREAS***, CRH has:

- (iv) Received the appraisal of the Property;
- (v) Negotiated the sale of the Property with Blackburn Properties, LLC;
- (vi) Requested approval of the sale by the Board of Commissioners;

***NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW COUNTY, INDIANA, THAT:***

***Section 1.*** The Board of Commissioners hereby approves the sale of the Property.

Section 2. *This Resolution shall be in full force and effect from and after passage.*

This property has been added to make a total of 14 homes instead of the original list of 13 homes (see table below) to be sold due to a change in future planning that will see no further expansion at this location. Moving forward, there may be additional properties added to be sold.

Address	Year Acquired	Purchased Price
2650 19 <sup>th</sup> St	2017	\$139,700
2670 19 <sup>th</sup> St	2016	\$151,800
2686 19 <sup>th</sup> St	2008	\$126,000
2690 19 <sup>th</sup> St	2016	\$145,200
2691 19 <sup>th</sup> St	2016	\$155,100
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2429 17 <sup>th</sup> St	1981	\$95,500
2550 16 <sup>th</sup> St	2001	\$160,000

**Commissioner Kleinhenz motioned to Adopt Resolution 2023-12. Commissioner London seconded the motion which passed unanimously.**

The next item was the 1<sup>st</sup> reading of the Consideration of an Ordinance Amending Ordinance Number 2007-06 as presented by Captain Chris Roberts as follows:

**ORDINANCE NO #2023-05**

***AN ORDINANCE AMENDING ORDINANCE NO. 2007-06 AN ORDINANCE  
ESTABLISHING AN ANNUAL SEX OR VIOLENT OFFENDER REGISTRATION FEE  
AND SEX OR VIOLENT OFFENDER ADDRESS CHANGE FEE AND ESTABLISHING A  
BARTHOLOMEW COUNTY SEX OR VIOLENT OFFENDER ADMINISTRATION FUND***

***WHEREAS, Indiana Law requires local Sheriffs to maintain and update a Sex or Violent Offender Registration; and***

*WHEREAS, Subject to the provision of I.C. 36-2-13-5.6, the Bartholomew County Commissioners may require the Bartholomew County Sheriff to collect an annual Sex or Violent Offender Registration Fee and Sex or Violent Offender Address Change Fee; and*

*WHEREAS, The Bartholomew County Commissioners wish to amend Ordinance No. 2007-06, Section (2) Fees; Section (a) Registration Fee.*

***NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW COUNTY, INDIANA THAT:***

*Section 2. Ordinance No. 2007-06, Section (2) Fees, Section (a) Registration Fee be amended as follows:*

- (A) The Annual Registration Fee shall now apply to the registration of residence and employment, education, volunteering, or secondary residence. If the offender works in Bartholomew County they must register, even if they do not live in Bartholomew County*
- (B) That all portions of Ordinance No. 2007-06 not amended by this Ordinance shall remain unchanged.*
- (C) That this Ordinance be effective immediately upon its passage and publication as required by law.*

Commissioner London opened the floor for the 1<sup>st</sup> public hearing. Mark Webber with The Republic Newspaper asked if issues in another county spurred this change to be made. Captain Roberts explained that Adolfo (Rudy) Olivo, the BCSO Sex Offender Coordinator, is leading the efforts to improve current procedures. After the discussion, Commissioner London closed the hearing. Commissioner Kleinhenz then asked Captain Roberts about potential concerns regarding offenders not registering due to the new fees. Captain Roberts assured that failure to register would result in prosecution as it is a violation of the law. **Commissioner Lienhoop motioned to approve Ordinance Number 2023-05 Amending Ordinance Number 2007-06. Commissioner Kleinhenz seconded the motion which passed unanimously.**

The next item was the consideration of an appointment to the Property Tax Adjustment Board of Appeals (PTABOA) served by Mr. Jeff Hilycord as proposed by Commissioner London. Assessor Ginny Whipple explained the duties of the PTABOA Board. Normally, the term of office is one (1) year, however; Mr. Hilycord will be serving the unexpired term of Ms. Mary Rigsby which expires December 31, 2023, and also his appointment for 2024 with his term expiring December 31, 2024.

**Commissioner Lienhoop motioned to approve the appointment of Jeff Hilycord to the Property Tax Adjustment Board of Appeals. Commissioner Kleinhenz seconded the motion which passed unanimously.**

The next item was the August 2023 Monthly Treasurer’s Report as prepared by Treasurer Barb Hackman. **Commissioner Kleinhenz motioned to Accept the Report as presented. Commissioner Lienhoop seconded the motion which passed unanimously.**

Under Miscellaneous, Commissioner Carl H. Lienhoop was recommended to be reappointed to the Emergency Ambulance Services Board due to his current term having expired. His new two-year term will expire September 20, 2025. **Commissioner London motioned to approve the appointment of Carl H. Lienhoop to the Emergency Ambulance Services Board. Commissioner Kleinhenz seconded the motion which passed unanimously.**

Fall Break will be observed next week and the next Commissioners’ Meeting will be October 16, 2023.

There being no other business, the meeting was adjourned.

BARTHOLOMEW COUNTY  
COMMISSIONERS

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TONY LONDON, CHAIRMAN

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LARRY S. KLEINHENZ, MEMBER

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CARL H. LIENHOOP, MEMBER



ATTEST:

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PIA O'CONNOR