

COMMISSIONERS' MEETING

December 17, 2018

The Bartholomew County Commissioners met in regular session on December 17, 2018, in the Governmental Office Building, 440 Third Street, Columbus, Indiana. Commissioners Rick Flohr, Larry Kleinhenz and Carl Lienhoop were present. County Attorney J. Grant Tucker and County Auditor Barbara Hackman were also present.

Chairman Kleinhenz called the meeting to order and Commissioner Lienhoop gave the invocation and led the Pledge of Allegiance.

The first order of business was the approval of minutes for the 12/10/18 Commissioners' Meeting. Commissioner Lienhoop made a motion to approve the minutes. Commissioner Flohr seconded the motion that passed unanimously.

Next was the approval of payroll. Commissioner Flohr motioned to approve the payroll. Commissioner Lienhoop seconded the motion which passed unanimously.

Chairman Kleinhenz read into the minutes the New Permit Report dated 12/10/18 through 12/14/18. Eighteen (18) permits were issued with fees collected of \$2,671 and estimated construction costs of \$3,758,112.

County Engineer Danny Hollander gave the Highway Weekly Crew Report which included the following work: crack sealed on Dawson Street, Old SR 9 and in Hammor Heights; patched roads; picked up brush in Ohio Township; mowed in German Township; stoned along road shoulders along 500W and on 800S; pulled ditch back on 475S; and put in driveway pipe on 800N.

Hollander then presented proposals for replacement of **three (3) 14' dump truck beds**.

Clark Truck Equipment (Crawfordsville)	\$29,319
Reading Truck Equipment (Indianapolis)	\$32,139

Commissioner Lienhoop moved to accept the low bid from Clark's. Commissioner Flohr seconded the motion that passed unanimously.

Hollander also presented quotes for **one (1) brine tank motor**.

Columbus Industrial Electric, Inc. (Columbus)	\$1,886.90
A. Servedio Electric Motors, Inc. (New Castle, PA)	\$2,235.00

Chairman Kleinhenz motioned to accept the low bid from Columbus Industrial totaling \$1,886.90, plus freight costs (to be determined). Commissioner Lienhoop seconded the motion that passed unanimously.

Next, Hollander presented quotes for materials and assemblage for **four (4) culverts**.

LOCATION / MATERIALS	E3 Bridge	Civilcon
Culvert #825 - CR 1000 E south of Grammer 10' 7" Span X 7' 1" Rise pipe arch	\$ 53,085.04	\$ 53,656.88
Culvert #826 - CR 1000 E north of Grammer 14' 1" Span X 6' 2" Rise box culvert	\$ 74,917.24	\$ 75,334.26
Culvert #833 - Base Road at CR 525 E 10' 11" Span X 4' 3" Rise box culvert	\$ 61,223.83	\$ 61,737.47
Culvert #866 - CR 50 N, east of 850 E 10' 7" Span X 3' 5" Rise box culvert	\$ 58,365.88	\$ 58,899.29
Total:	<u>\$247,591.99</u>	<u>\$249,627.90</u>

Commissioner Flohr motioned to accept the low bid on all four culverts from E3 Bridge. Commissioner Lienhoop seconded the motion that passed unanimously.

And lastly, Hollander presented an invoice for ratification from Southeastern Equipment Co., Inc. for **Gradall boom knuckles** parts and labor totaling \$3,436.30. Chairman Kleinhenz moved to ratify the expense. Commissioner Lienhoop seconded the motion that passed unanimously.

IT Director Scott Mayes employs a hybrid approach in staffing the IT department. A proficient economical mix of county employees, professional services, and intern labor is being used to complete the wide variety of work. Mayes collaborated with Ivy Tech's internship program to arrange a **contract agreement with Zackary A. Vanosdol** to assist with IT Helpdesk Support and entry level system administration tasks. The contract runs from 1/2/19 through 5/11/19. Vanosdol will work a minimum of 15 hours per week for a minimum of 16 weeks at \$17/hour with total compensation not-to-exceed \$4,080. No benefits are offered under the contract. Wages will be paid through claims. Commissioner Lienhoop made a motion to contract with Vanosdol. Commissioner Flohr seconded the motion that passed unanimously.

Consideration a **Court Services printer** was withdrawn as the purchase price was less than \$1,000.

Jail Commander John Martoccia presented a proposal for **one (1) steamer for the jail kitchen.**

Central Restaurant Products (Indianapolis)	\$19,904.46
Complete package of equipment & install	
Katom Restaurant Supply, Inc. (Kodak, TN)	\$17,010.00
Water treatment & install <i>not</i> included	
Atlas Restaurant Supply (Indianapolis)	\$18,889.85
Installation <i>not</i> included	

Martoccia recommended taking the quote from Central Restaurant. The jail has purchased from them before and the quote includes pricing for everything needed. Commissioner Lienhoop motioned to accept the quote from Central Restaurant for \$19,904.46. Commissioner Flohr seconded the motion that passed unanimously.

The next item on the agenda was the consideration of the Extension of Contractual Services Agreement between Bartholomew County and Purdue University, on behalf of the **PU Cooperative Extension Service**. County extension services cover four program areas: agricultural and natural resources, health and human sciences, community development, and 4-H youth development. The contract calls for the county to pay \$91,295 to Purdue University for the salaries of 2.61 county educators for the period of 1/1/19 through 12/31/19. Any funds not expended for educator salaries can be used for supplies, equipment, and other salary support. Commissioner Flohr moved to approve the Purdue extension agreement. Commissioner Lienhoop seconded the motion that passed unanimously.

Next was the consideration of an **Ordinance to Restrict Home Addresses** on Bartholomew County's property website (*See attached.*) Enactment of the ordinance will bring the county into compliance with IC 36-1-8.5: Restricted Addresses. The code gives certain individuals ("covered persons") the right to request redaction of their home address from county public access website(s) that require no registration, subscription, or creation of a user account in order to search said website (e.g., website managed by the county's GIS department). Covered person, under this code is defined as: (1) a judge, (2) a law enforcement officer, (3) a victim of domestic violence, or (4) a public official. Chairman Kleinhenz opened the meeting for public comment. There was some discussion about the need for the ordinance, the frequency of this type of action, and the inconvenience created to obtain public officials' information through this legislation. Ultimately, however, passing the ordinance is required to bring the county up to code

with the Indiana Attorney General's Office. The meeting was closed. Commissioner Flohr motioned to pass the ordinance in accordance with IC 36-1-8.5, on first reading. Commissioner Lienhoop seconded the motion that passed unanimously.

The next agenda item was consideration of a **Resolution Amending the Capital Improvement Plan ("CIP")** for Utilization of Economic Development Income Tax Funds ("EDIT"), which was adopted on 2/26/18 under Resolution No. 2018-02. (*See attached.*) County Attorney Grant Tucker explained that Section 4. of Resolution No. 2018-02, which earmarked 2018 funds for the new county highway facility, needed to be tweaked to include verbiage related to bond issuance and debt service, plus a provisional statement allowing any remaining funds to be used for said purposes in 2019, as well. Chairman Kleinhenz motioned to approve an amended CIP for EDIT funds by signing the amending resolution. Commissioner Lienhoop seconded the motion that passed unanimously.

Next item for consideration was a **Contract for Purchase of Real Estate** from Bartholomew County Solid Waste Management District for the future site of the county highway garage facility. The offer of \$125,000 on the 25.073 acres along East 25th Street is subject to the satisfaction of conditions (e.g. zoning, termination of farm lease) that make the property suitable for construction of the new facility. The pricing is close to the \$4,800/acre originally paid for the property back in 1994. For that reason, the commissioners felt confident the land was worth at least \$5,000 per acre and, in all probability, much more than that. Therefore, the offer is being made without further cost of a preliminary appraisal of value, as allowed between government entities. Commissioner Lienhoop made a motion to proceed with the contract to purchase. Commissioner Flohr seconded the motion that passed unanimously.

Then County Attorney Grant Tucker introduced an **Authorization to Demolish and Remove Structures** and Hold Harmless Agreement. The county owns and maintains the roadway and adjacent right-of-way of CR 325W. The county has tried for years to obtain permission to improve the vacated property by demolishing the dilapidated structures. With this agreement, the new property owner Joan Tupin-Crites gives the county permission to raze the unsafe, unsightly house and structure at 3925 N CR 325 W, at no cost to her. Commissioner Flohr moved to enter into the agreement with Tupin-Crites. Commissioner Lienhoop seconded the motion that passed unanimously.

Under Miscellaneous, was the consideration of **Amendment No. 5 to the Employee Benefit Trust Plan**. The following changes to the Schedule of Benefits will take effect 1/1/19.

1. REMOVE WELL CONNECT INFORMATION FROM THE SCHEDULE OF BENEFITS
2. ADD PRIMARY CARE PHYSICIAN AND CLINIC/ACUTE CARE TO SCHEDULE OF BENEFITS
 - CLINIC/ACUTE CARE VISITS – FIRST THREE (3) OFFICE VISITS PAID AT 100% - AFTER 1ST (3) VISITS \$20 COPAY WILL APPLY – ALL OTHER CHARGES 80% AFTER DEDUCTIBLE
3. UPDATE MENTAL HEALTH BENEFIT – 80% AFTER DEDUCTIBLE (IN NETWORK) 50% (OUT OF NETWORK)
4. UPDATE PHYSIOTHERAPY LIMITS – 80% AFTER DEDUCTIBLE (IN NETWORK) 50% AFTER DEDUCTIBLE (OUT OF NETWORK), LIMIT TO AN ANNUAL INDIVIDUAL MAXIMUM OF:
 - PHYSICAL THERAPY – LIMIT 20 VISITS
 - OCCUPATIONAL THERAPY – LIMIT 20 VISITS
 - MANIPULATIVE THERAPY – 12 VISITS
 - SPEECH THERAPY – 20 VISITS
 - CARDIAC REHAB – 36 VISITS
 - PULMONARY REHAB – 20 VISITS

Commissioner Lienhoop moved to accept the amended changes into the Employee Benefit Trust Plan, Schedule of Benefits. Commissioner Flohr seconded the motion that passed unanimously.

Commissioner Lienhoop read the Monthly **Veterans Services Report** for November, 2018. The Veterans Office processed 16 new applicants; conducted 119 scheduled, walk-in, and/or outside interviews (one housebound claimant); made 243 contacts by phone/mail; traveled 1,462 miles; and made 16 trips to the VA Hospital. VSO Larry Garrity traveled to Madison for the South/East District VA meeting. Commissioner Lienhoop made a motion to accept the report. Chairman Kleinhenz seconded the motion that passed unanimously.

The next Commissioners' Meeting will be held on **Wednesday, December 26, 2018**, at 10:00 a.m. in the Commissioners' Chambers. There being no other business, the meeting was adjourned.

BARTHOLOMEW COUNTY
BOARD OF COMMISSIONERS

LARRY S. KLEINHENZ, CHAIRMAN

ATTEST:

RICHARD A. FLOHR, MEMBER

BARBARA J. HACKMAN

CARL H. LIENHOOP, MEMBER

ORDINANCE NO. 2018-_____

**AN ORDINANCE TO RESTRICT HOME ADDRESSES ON
BARTHOLOMEW COUNTY'S PROPERTY WEB SITE**

WHEREAS, the Board of Commissioners of Bartholomew County is required to establish a policy for County departments to comply with requirements of IC 36-1-8.5 specifically related to "Covered Persons" and the publically accessible property website, managed by the Bartholomew County GIS Department; and

WHEREAS, IC 36-1-8.5 provides a means for an individual defined as a "covered person" to submit a written request to have their home address restricted from disclosure on a public property data base web site. The restricted information will not be made available to a member of the general public; and

WHEREAS, according to Indiana Code 36-1-8.5, only those individuals providing information or verification required by this policy to be classified as a covered person as defined below are eligible.

- a judge;
- a law enforcement officer;
- a victim of domestic violence; or
- a public official

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

The following policy defines the procedure used for processing requests.

1.0 Definitions

1.1 Judge (*IC 36-1-8.5-3*)

- (1) a judge of the supreme court, court of appeals, tax court, circuit court superior Court, municipal court, county court, federal court, or small claims court; or
- (2) a magistrate, commissioner, or juvenile referee of a court

1.2 (2) Law Enforcement Officer (*IC 36-1-8.5-4*)

- (1) a police officer (including correctional police officer), sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney, the securities commissioner, or the inspector general;
- (2) a deputy of any of the persons specified in subdivision (1);
- (3) an investigator for a prosecuting attorney or for the inspector general;
- (4) a conservation officer;
- (5) an enforcement officer of the alcohol and tobacco commission, or
- (6) an enforcement officer of the securities division of the office of the secretary of state

1.3 Victim of Domestic Violence (*IC 36-1-8.5-6*)

- (1) a victim of domestic violence who is certified as a program participant in the address confidentiality program established by the attorney general under I.C. 5-26.5-2

1.4 Public Official (*IC 36-1-8.5-4.5*)

- (1) an individual who holds or formerly held office at any time during the preceding four (4) years in the executive or legislative branch of the state or federal government or a political subdivision of the state or federal government. The actual criteria are as follows:
 - a. a position for which the duties include performance of some sovereign power for the public's benefit;
 - b. are continuing;
 - c. are created by law instead of by contract.

1.5 Public Property Database Web Site (*IC 36-1-8.5-5*)

An Internet web site that:

- (1) is available to the general public over the Internet;
- (2) does not require registration, subscription, or the creation of a user name and password to search the web site; and
- (3) connects a covered person's home address to the covered person's name, so that a search of the web site for the covered person's name discloses the covered person's home address.

Additional definitions and clarifications can be found by visiting the website for the Indiana General Assembly and searching for section 36-1-8.5.

2.0 Duty to Comply (*IC 36-1-8.5-7*)

The duty to prevent disclosure of an address as it falls under 36-1-8.5 rests upon the Bartholomew County Auditor's Office regarding the Bartholomew County web site. The process to comply with the code is outlined below.

2.1 Submit a Written Request

1. A covered person who wants to restrict access to the covered person's home address by means of a public property data base web site must submit a written request to the Bartholomew County Auditor's Office.
2. The written request shall be submitted on the Address Restriction Form obtained from the Bartholomew County Auditor's Office.
3. Individuals that have moved and are still covered according to statute must submit a new request and fee.
4. Written requests are valid for up to one calendar year and must be resubmitted each year at no additional fee. It is the responsibility of the covered person to renew their request within the first month of the New Year.

2.2 Information or Verification Required for Processing Written Request

The following describes what information or verification is required for a covered person's written request to be processed. The Auditor's Office will verify that submission is valid and requestor is covered according to 36-1-8.5.

1. **A judge** – Provide a signed letter in paper copy stating current or previous employment status as:
 - (1) A judge of the supreme court, court of appeals, tax court, circuit court, superior court, municipal court, county court, or small claims court; or
 - (2) a magistrate, commissioner, or juvenile referee of a court.
2. **A law enforcement officer** – Provide a signed letter in paper copy stating current or previous employment status as:
 - (1) a police officer (including a correctional police officer), sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney, the securities commissioner, or the inspector general;
 - (2) a deputy of any of the persons specified in subdivision (1);
 - (3) an investigator for a prosecuting attorney or for the inspector general;
 - (4) a conservation officer;
 - (5) an enforcement officer of the alcohol and tobacco commission; or
 - (6) an enforcement officer of the securities division of the office of the secretary of state.

3. **A victim of domestic violence** – Provide paper copy of proof of program participation of Attorney General address confidentiality program.
4. **A public official** – Provide signed letter in paper copy stating current or previous service as a public official who holds or formerly held office at any time during the preceding four (4) years in the executive or legislative branch of the state or federal government or a political subdivision of the state or federal government.

2.3 Person or Department to Receive and Process Written Request

Written requests regarding the redaction of a home address on the Bartholomew County website shall be received and processed by the Bartholomew County Auditor's Office. If a written request for redaction of a home address is denied by the Auditor's Office, the applicant may appeal to the Board of Commissioners.

2.4 Fee Structure

The following fee structure applies to applicants making a written request under IC 36-1-8.5.

1. **Initial Request** – a \$50 per parcel fee will be assessed for individual requests.
2. **Additional Requests** – A \$50 per parcel fee will be assessed for any changes to the title of the parcel or relocation of the covered person.
3. **Annual Renewal of Initial Request** – there is no fee assessed for the annual renewal of an individual's previous request.
4. **Deposits** – all fees collected will be deposited to the County General Fund.

3.0 Result of Changes to Access of Property Information

The process of restricting home addresses on the Bartholomew County web site will have the following consequences.

3.1 The Bartholomew County Web Site

Requests to restrict access to home addresses affect either one or possibly multiple parcels that may display the home address. A parcel's State Key Parcel Identification Number (PIN) will be added to a built-in suppression list. The act of adding a parcel's PIN number to the suppression list will redact all the information available for the affected parcel(s). Performing a search on suppressed PINs will return no search results nor display the parcel's location on the map.

3.2 Internal County Property Record Databases

Property information stored on internal county databases will still exist and be made available to the public per request, unless blocked by state statute.

4.0 Immunity and Litigation Proceedings *(IC 36-1-8.5-12)*

It is the intention of Bartholomew County to comply with the intent of the code to not make property information associated with a home address accessible by means of removing the link between name and parcel information.

Bartholomew County may not be held liable for failure to timely restrict disclosure of an address under this chapter unless Bartholomew County's act or omission constitutes gross negligence or willful or wanton misconduct.

5.0 Reversal of Privacy Settings *(IC 36-1-8.5-9)*

The public access of removed information can only be done at the request of the original covered person. Per the code, an individual may request reinstatement of their excluded information.

Should any changes to the title of a covered parcel be made; the existing residence will be removed from the list of confidential properties. A new request will need to be made in order to have the parcel covered again.

6.0 Confidentiality *(IC 36-1-8.5-11)*

All requests made to the Bartholomew County Auditor's Office by a covered person are confidential.

7.0 Excluded Properties

This policy is in effect for requestor's primary residence only per IC 36-1-8.5-7. If the requestor owns or is involved in additional properties that utilize the primary home address as the mailing address, they will be displayed. If the requestor wishes to have those addresses removed as well, the \$50 fee will apply to each submission.

8.0 Amendments

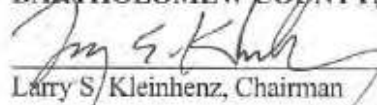
Bartholomew County reserves the right to amend or revise the contents of this policy as deemed suitable.

9.0 Effective Date

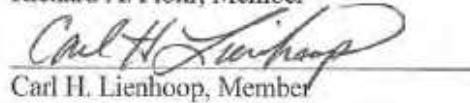
This Ordinance shall be effective immediately upon its passage.

PASSED ON FIRST READING THIS 17th DAY OF December, 2018.


**BOARD OF COMMISSIONERS OF
BARTHOLOMEW COUNTY, INDIANA**


Larry S. Kleinhenz, Chairman


Richard A. Flohr, Member


Carl H. Lienhoop, Member

ATTEST:

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

PASSED ON SECOND READING AND ADOPTED THIS ____ DAY OF
_____, 201__.

**BOARD OF COMMISSIONERS OF
BARTHOLOMEW COUNTY, INDIANA**

Larry S. Kleinhenz, Chairman

Richard A. Flohr, Member

Carl H. Lienhoop, Member

ATTEST:

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

RESOLUTION NO. 2018-05

**RESOLUTION AMENDING THE CAPITAL IMPROVEMENT PLAN FOR
UTILIZATION OF ECONOMIC DEVELOPMENT INCOME TAX FUNDS**

WHEREAS, the Board of Commissioners of Bartholomew County, Indiana (“Commissioners”) did, on the 26th day of February, 2018, adopt Resolution No. 2018-02, Adopting a Capital Improvement Plan For The Utilization of Economic Development Income Tax (EDIT) Funds during calendar years 2018 and 2019; and

WHEREAS, the Commissioners now find it necessary to amend said Capital Improvement Plan to address providing funds for bond debt service for the anticipated County Highway Garage Project during calendar year 2019.


NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW COUNTY, INDIANA to amend the Capital Improvement Plan pertaining to the utilization of the County’s portion of the EDIT Funds during calendar years 2018 and 2019 which was adopted on February 26, 2018, to read as follows:

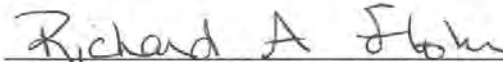
1. During calendar year 2018, up to the sum of Eight Hundred Twenty Five Thousand Dollars (\$825,000) will be used for improvements to County buildings, up to Four Hundred and Three Thousand Dollars (\$403,000) will be used for improvements other than Buildings, and up to Ninety Thousand Dollars (\$90,000) will be used for the purchase and repair of Machinery and Equipment.
2. Up to the sum of Fifteen Thousand Dollars (\$15,000.00) will be used to obtain two (2) seats on the Columbus Economic Development Board in calendar year 2018. One membership shall be utilized by a Bartholomew County Commissioner and one membership shall be utilized by a Bartholomew County Council member.
3. During calendar year 2018 and 2019 up to the sum of Two Hundred and Fifty Thousand Dollars (\$250,000) per year, will be used to contribute toward the cost of improvements, including an overpass over the railroad crossing on Jonathan Moore Pike (State Road 46 West).
4. Up to the sum of One Million Five Hundred Thousand Dollars (\$1,500,000.00) will be utilized during calendar year 2018 for costs and expenses related to the construction of a new Highway Garage Facility. These expenses will include, but not necessarily be limited to, architectural, engineering and consulting services, professional services related to the issuance of bonds and bond debt service costs. During calendar year 2019, any funds remaining from the aforementioned One Million Five Hundred Thousand Dollars (\$1,500,000.00) may continue to be utilized for the purposes enumerated herein and, to the extent necessary, additional EDIT Funds may be utilized in order to adequately fund debt service costs and/or payments.


5. Up to the sum of Three Hundred Thousand Dollars (\$300,000.00) will be utilized during calendar year 2018 for County Road Improvement projects other than overlay and chip and seal.
6. During calendar year 2018, any EDIT Funds received in excess of those amounts specifically listed above and up to all Edit Funds on account from prior years will be utilized for the Maintenance and repair of County roads and/or the replacement of, or improvements in County Highway structures or infrastructure.
7. Upon passage of this resolution and proper appropriation by the Bartholomew County Council, the Bartholomew County Auditor is authorized to distribute the County's portion of the EDIT Funds consistent with the provision of this Capital Improvement Plan.
8. That this Resolution amending the previous Capital Improvement Plan shall be effective immediately upon its passage.

Dated this 17th day of December, 2018.


BOARD OF COMMISSIONERS OF
BARTHOLOMEW COUNTY, INDIANA


Larry S. Kleinhenz, Chairman


Richard A. Flohr, Member


Carl H. Lienhoop, Member

ATTEST:


Barbara J. Hackman, Auditor