

COMMISSIONER'S MEETING
December 19, 2011

The Bartholomew County Commissioners met in regular session on December 19, 2011 in the Governmental Office Building, 440 Third Street, Columbus, Indiana. Chairman Carl Lienhoop called the meeting to order at 10:00 am. Commissioner Larry Kleinhenz, Commissioner Paul Franke, Auditor Barbara J. Hackman, and County Attorney J. Grant Tucker were also in attendance. Chairman Lienhoop gave the Invocation and led the Pledge of Allegiance.

Next, the minutes of the December 12, 2011 meeting were approved unanimously on a motion by Commissioner Kleinhenz and seconded by Commissioner Franke.

The Voucher Claims were presented for approval. Commissioner Franke made a motion to approve the Voucher Claims. Commissioner Kleinhenz seconded the motion that passed unanimously.

Next, Chairman Lienhoop read the New Permits Report from 12/12/2011 to 12/16/2011. Twenty-nine permits were issued with a fee amount of \$3,587.00 and a valuation amount of \$3,853,923.00.

Next, County Highway Engineer Danny Hollander presented the Commissioners with a Supplemental Agreement with Strand & Associates in the amount of \$18,000.00 because the Indiana Department of Transportation gave the County permission to move the utilities for the 600 North project. Commissioner Kleinhenz said that the County began working on the 600 North project in 1995 or 1996. This has been a huge

undertaking, and will cost \$3,200,000.00 in Federal money to finish this project. Commissioner Kleinhenz made a motion to approve the Supplemental Agreement with Strand & Associates in the amount of \$18,000.00 for the 600 North project. Commissioner Franke seconded the motion that passed unanimously.

Next, Engineer Hollander requested the release of Driveway Bond 11B-11 located on 400 West near Somerset Meadows. Commissioner Kleinhenz made a motion to release Driveway Bond 11B-11. Commissioner Franke seconded the motion that passed unanimously.

Next, Engineer Hollander mentioned that a bridge inspector from United Consulting recommends that the County close Bridge #47 on 1150 East over Clifty Creek. Engineer Hollander agreed with the conclusions, so Bridge #47 was closed. United Consulting will put together some temporary repairs for Bridge #47, so the bridge can be opened on a short term basis once the repairs are made. Commissioner Kleinhenz said the weight limit for Bridge #47 is posted at 5 ton. Engineer Hollander said the weight limit will be 3 ton when the temporary repairs are finished. However, the temporary repairs will not last, so the Commissioners will have to decide if Bridge #47 will need to be replaced, rehabilitated, or close this bridge. Engineer Hollander said that any major repairs or construction of a replacement bridge will need to be hired out.

Commissioner Franke said that he was hopeful that the County could apply for Federal money to rehabilitate this historic bridge. Engineer Hollander said that the County will have to continue to apply for Federal funds to replace or rehabilitate it.

Chairman Lienhoop said that Bridge #47 is a 130 foot, steel-truss, one-lane Bridge, and going to a three (3) ton weight limit will at least allow cars and trucks to cross this bridge. Engineer Hollander said that the main structural supports have deteriorated, so if those give way, then the bridge will collapse. Commissioner Kleinhenz asked if the repairs could be done in-house. Engineer Hollander said yes the Highway Department will use cables to tie back to the end pin of the trusses. Chairman Lienhoop said Bridge #47 was built in 1910 and bridge crosses Clifty Creek, so a new bridge will cost approximately \$1,500,000. Engineer Hollander said that the State went through and evaluated all of the historic bridges. Bridge #47 was deemed non-select, so there are not as many guidelines on this bridge, but it will be harder to obtain money for the rehabilitation.

Next, Engineer Hollander presented the Commissioners with the Weekly Crew Report. Last week, the Highway Crew put up signs, mowed in Sandcreek and Hawcreek, patched roads, put in a driveway pipe on 225 South, washed and waxed trucks, picked up trash, picked up limbs on Crossing Lane, and fixed turnarounds for the snow plows.

Chairman Lienhoop mentioned that on Thursday Second Chief Deputy Tina Jeffries opened up an envelope that had no return address. The envelope contained four (4) new one hundred dollar bills in it with a note that said use for roads. Chairman Lienhoop said the four hundred dollars (\$400.00) will be put into the Local Road and Street Fund. The Commissioners do not know who gave the County this money, but were appreciative of this donation. Commissioner Franke made a motion to approve

putting the \$400 in the Local Road and Street Fund. Commissioner Kleinhenz seconded the motion.

Bartholomew County resident Gary Chambers mentioned that while on the topic of roads, just South of Wischmeier's Nursery, Inc. near County Road 350, someone cut the road to put in a drainage pipe and now there is a huge wash out on the right hand lane going south that needs to be fixed.

Chairman Lienhoop said there is a motion on the floor with a second, so he asked for a vote, and the motion to put the \$400 donation into the Local Road and Street Fund passed unanimously.

Next, Chairman Lienhoop mentioned that the Commissioners solicited bids for a 2012 Tandem axle dump truck for the Highway Department, as well as for one (1) 2012 Compact or midsize pickup truck for Code Enforcement, but the bids received did not meet the specifications for these vehicles, so the Commissioners are rejecting those bids. The first bid for the dump truck included a sleeper cab instead of a regular cab. The second bid had a brake system issue, and the third bid had the wrong bed latch. Commissioner Kleinhenz mentioned that the bid for the pickup truck for Code Enforcement was for a full-sized truck instead of a compact or mid-sized truck. Commissioner Franke added that the bid should specify that Code Enforcement could purchase a 2011 compact or mid-sized pickup truck if one can be found that meets the required specifications. Commissioner Franke made a motion to reject the bids solicited for the dump truck for the Highway Department and the pickup truck for Code

Enforcement. Commissioner Kleinhenz seconded the motion that passed unanimously. Chairman Lienhoop said the following companies from Indianapolis solicited bids that were rejected for the tandem dump truck: Palmer Trucks, Stoops Freightliner-Quality Trailer, Inc., Andy Mohr Truck Center, Inc., and Indy Truck Sales. The following companies solicited bids that were rejected for the pickup truck for Code Enforcement: Andy Mohr Truck Center, Inc. (Indianapolis, IN) and Fletcher Chrysler Dodge Jeep (Franklin, IN).

Commissioner Kleinhenz mentioned that Bartholomew County has seven hundred (700) miles of roads, so it is very helpful that taxpayers call in to let the Commissioners or Highway Department know about problems such as potholes or wash outs. The Commissioners appreciate that.

Next, Chairman Lienhoop presented the Notice to Bidders for sealed bids that can be delivered until 10:00 a.m. on Monday, January 9, 2012 in the Commissioners' Office for one (1) 2012 Tandem-Axle Dump Truck with snow plow and sand box, as per specifications and for one (1) 2011 or 2012 compact or midsize pickup truck, as per specifications.

Next, Chairman Lienhoop wanted to give notice to the public of an extra claim voucher. Chairman Lienhoop then made a motion to approve an extra claim voucher for December 27, 2011. Commissioner Kleinhenz seconded the motion that passed unanimously.

Next, Chairman Lienhoop presented a ratification of expenditure for both the Highway Department and Stormwater MS4 Compliance to purchase an oil filter crusher that will be located at the Highway Department. The purchase will help Bartholomew County be in Stormwater compliance with the Indiana Department of Environmental Management (IDEM). The following three (3) bids were received for the oil filter crusher.

CarQuest Auto Parts (Columbus, IN)	\$2,689.90
Napa Auto Parts (Columbus, IN)	\$2,699.00
OTC (online price from Amazon.com)	\$2,821.03

The oil filter crusher will be paid out of the Stormwater Rule 13 Fund in the Commissioners' Budget. Chairman Lienhoop made a motion to approve the purchase of the oil filter crusher for \$2,689.90 from CarQuest Auto Parts. Commissioner Franke seconded the motion that passed unanimously.

Commissioner Franke thought \$2,689.90 was too much to pay for an oil filter crusher, but after he heard how much it cost the landfill to pay someone to crush the oil filters, then he did not think it was too expensive, and it will be a win-win for the Highway Department, as well as for the landfill. Likewise, the Highway Garage will get more oil to heat the garage.

Commissioner Kleinhenz mentioned that the County Offices will be closed on Friday, December 23, 2011 and Monday, December 26, 2011 in observance of Christmas. County Offices will reopen for business at 8:00 a.m. on Tuesday, December 27, 2011.

Next, Bartholomew County resident Gary Chambers came before the Commissioners with a tape recording that was recorded from the window of his living room last Saturday night. Mr. Chamber lives about an eighth of a mile (1/8) from where the firework and/or explosions are going on. Mr. Chambers tried to talk with Danny Lykins, his ex-friend, about having his son, Michael Lykins, to stop setting off explosions. Mr. Danny Lykins did not help Mr. Chambers, but rather insulted him. When Mr. Chambers spoke with Mr. Michael Lykins, he asked if Mr. Chambers wanted a phone call before the firework explosions begin. Mr. Chambers wants the noise to stop. Mr. Chamber said that the fireworks and/or explosions are terrifying his family because you never know when the explosions will begin. Likewise, Mr. Chambers said that he and his wife have health issues, so the firework explosions are not good for their health. Mr. Chambers said his neighbors are afraid of crossing Mr. Michael Lykins because he can be vindictive.

Mr. Chambers has talked with State Representative Milo Smith and Legislative Assistant Eric Coates on why Indiana changed their laws back in 2006 or 2007 on this issue because it used to only be allowed on certain holidays. Mr. Chambers state that Sheriff Department Captain John Martoccia said that he cannot do anything about the issue without something like a noise or nuisance ordinance, etc. that dictates this is a violation. Mr. Lykins sets off explosives that are high dollar and are controlled remotely, and Mr. Chambers would like the Commissioners and/or County Attorney J. Grant Tucker to protect the health and welfare of his constituents by drafting an ordinance

and/or some kind of legislation to stop this. Mr. Chambers would also like reassurance from the Commissioners that something will be done about this in the near future.

Chairman Lienhoop asked County Attorney J. Grant Tucker to give his general philosophy on this issue. Attorney Tucker said that his philosophy is that government was not created to solve the problems of all the people, and it is not good policy to draft an ordinance for an isolated problem like this. Attorney Tucker said that he would do whatever the Commissioners would like him to do, but he suggested that Mr. Chambers look into filing a private nuisance action because the tape recording would be good evidence for his case. Mr. Chambers said he should not have to pay money to remedy this issue. Mr. Chambers suspects that the legislature noticed how much money the State was losing in firework sales, so they did away with the legislature regulating the use of fireworks and other explosives.

Chairman Lienhoop said the Town of Hope has an ordinance similar to what Mr. Chamber is alluding too. Mr. David Skinner, a neighbor of Mr. Chambers, was in the audience and approached the Commissioners. Mr. Skinner said he is sure that no one in the Commissioners' Chambers would want to deal with the noise from this neighbor. Mr. Skinner also wanted to know what the status was of a road ditch. Attorney Tucker said the Drainage Board decision was being appealed. Mr. Chambers mentioned that Captain Martoccia wanted to attend the Commissioners' Meeting this morning, but Sheriff's Department was short-staffed, so Captain Martoccia was not able to attend.

STAT Ambulance worker John Scarborough approached the Commissioners to say that STAT Ambulance saw the piece in the newspaper and would like to work with both the Commissioners and Columbus Regional Hospital (CRH) on ambulance service for Bartholomew County.

The Clerk's Monthly report was presented for approval by Commissioner Franke. Finding the report to be in order, Commissioner Franke made a motion to approve the November 2011 Clerk's Report. Commissioner Kleinhenz seconded the motion that passed unanimously.

There being no other business, the meeting was adjourned by Chairman Lienhoop at 10:51 am. The next Commissioner's meeting will be held on Tuesday, December 27, 2011 at 10:00 am in the Commissioner's Chambers.

BARTHOLOMEW COUNTY COMMISSIONERS

CARL H. LIENHOOP, CHAIRMAN

PAUL FRANKE, MEMBER

LARRY S. KLEINHENZ, MEMBER

ATTEST:

BARBARA J. HACKMAN, AUDITOR