

COMMISSIONERS' MEETING

June 19, 2017

The Bartholomew County Commissioners met in regular session on June 19, 2017, 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 Lienhoop called the meeting to order and Commissioner Flohr gave the Invocation and led the Pledge of Allegiance.

The first order of business was the approval of the Commissioners' Meeting Minutes for June 12, 2017. Commissioner Flohr made a motion to approve the minutes. Commissioner Kleinhenz seconded the motion that passed unanimously.

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

The next item was weekly reports. Chairman Lienhoop read the New Permit Report dated 6/12/17 to 6/16/17. Forty-one (41) permits were issued with fees collected of \$6,968 and estimated construction costs of \$21,315,354.

County Engineer Danny Hollander gave the Highway Weekly Crew Report for last week which included the following work: patched roads; worked on signs; mowed in Wayne, Harrison, Jackson, Columbus and Ohio Townships; bermed roads for overlay; replaced pipes on 425N, Keith Drive, 875W, Sawmill and Carlos Folger Roads; stoned along 800N and Gladstone; plowed corn stalks off road; and assisted the coroner.

The next agenda item was consideration of an **Amendment to the Windstream Contract**. IT Director Scott Mayes requested adding three (3) phones and licenses to the contract with Windstream because of the addition of employees at Superior Court II and Circuit Court. The monthly fee will increase by \$51.29 for the remainder of the contract. Commissioner Flohr motioned to approve the amendment. Commissioner Kleinhenz seconded the motion that passed unanimously.

For the next item, Court Services Director Brad Barnes presented a **Grant Application for Pretrial Funding** on behalf of the county courts. Grant funds for pretrial pilot counties, such as Bartholomew County, are available through the Indiana Supreme Court. The requested \$25,000 would go toward the payment of public defender services at first appearances for pretrial defendants. The county receives these funds in advance and requires no county match. Chairman Lienhoop made a motion to sign the grant application. Commissioner Flohr seconded the motion that passed unanimously.

Barnes also invited the Commissioners and the public to the Veterans Court's first graduation at 6:00 p.m. next Tuesday, June 27th, at the Yes Cinema.

The next item addressed overfunded/underused grant money awarded on 6/20/16 from the **2016 Title 97.042 Emergency Management Performance Grant Program**, Federal Grant #EMC-2016-EP-00006-S01. The original \$10,000 award letter from the Indiana Department of Homeland Security was signed by the Commissioners in their 1/30/17 meeting. However, only \$4,511.40 was used toward costs of the District 8 regional deployment training exercise. Therefore, Homeland Security had submitted a revised award letter showing the actual amount used of \$4,511.40. Chairman Lienhoop made a motion to sign the revised letter of acceptance. Commissioner Kleinhenz seconded the motion that passed unanimously.

Next was the consideration of a grant application presented by Captain Brandon Slate of the Sheriff's Department. The Indiana Criminal Justice Institute (**ICJI**) **Grant** (#6570) request of \$22,000 is to fund extra patrols during off-duty hours for **Operation Pull Over** which focuses on seatbelt and traffic safety. It is a reimbursable grant requiring no county match and the funding runs from 10/1/17 through 9/30/18. Commissioner Flohr made a motion to sign the grant request. Commissioner Kleinhenz seconded the motion that passed unanimously.

Public Health Department's Director of Nursing Amanda Organist presented **two (2) immunization advertising contracts** funded by state grant money. First was an agreement with AllOver Media for indoor advertising at Yes Cinema, Puccini's, Total Fitness and Riviera Maya totaling \$1,200. Commissioner Kleinhenz moved to approve

the advertising contract with AllOver Media. Commissioner Flohr seconded the motion that passed unanimously. The second agreement was with White River Broadcasting. The advertising contract was for radio segments totaling \$280 to air between 7/17/17 and 7/23/17. Commissioner Lienhoop made a motion to sign the contract with White River Broadcasting. Commissioner Kleinhenz seconded the motion which passed unanimously.

Organist then presented quotes for the purchase of **one (1) portable vaccine refrigerator/freezer** with backup battery for the Health Department. QuickMedical (Issaquah, WA) bid \$665.48 without the battery backup; LABRepCo (Horsham, PA) bid \$4,455 without the cart; and Fridge Freeze, Inc. (Escondido, CA) bid \$5,553. Only the Fridge Freeze bid met all specifications. Therefore, Commissioner Kleinhenz made a motion to approve the \$5,553 quote from Fridge Freeze. Chairman Lienhoop seconded the motion which passed unanimously.

The next agenda item was the second reading of an **Ordinance Creating A Cumulative Capital Development Fund**. (*See attached*) While it is the County Council's decision whether to levy the tax, or not; it is the Commissioners' responsibility to create the ledger account for the tax. County Attorney Grant Tucker explained that the non-reverting fund would hold tax revenue should the County Council enact the Cumulative Capital Development Tax. Under new state legislation, counties are no longer eligible to receive capital projects funding if they have not enacted this tax. The loss of income from the County's 2017 general fund exceeded \$670,000. The account funds would be used to acquire, maintain, repair, equip, construct and demolish county buildings and land. Due to processes and deadlines for creating the fund, the Commissioners believed it to be prudent to have the account ready in case the Council decides to levy the tax.

Chairman Lienhoop opened the meeting for public comment. Audience member Mike Lovelace suggested having ordinances that are up for consideration available for public viewing. The commissioners agreed; however, typically the most important content is orated for the record. County Councilman Bill Lentz asked if the money the

County lost this year was pocketed by the state or given back to taxpayers in the form of tax relief. County Auditor Barbara Hackman agreed to verify the state's handling of that money and advise the County Council for their meeting that night. There being no further comments, Chairman Lienhoop then closed the meeting. Commissioner Flohr made a motion approving the ordinance to create the Cumulative Capital Development Fund on second reading. Commissioner Kleinhenz seconded the motion that passed unanimously.

Lastly, county residents Ron Speer and Marcus Speer, after having approached the County Highway, brought a complaint to the Commissioners regarding a water drainage problem compounded by crop debris. R. Speer attributed the problem to mechanisms employed by the neighboring property owner, Danny Dillon, which impede the natural flow of runoff. County Engineer Hollander confirmed that these impeding structures are within the utility/county 25-foot easement. County Attorney Grant Tucker suggested the situation might be a private dispute in spite of the presence of a drainage easement recorded in the Brougher Minor Subdivision, Plat Book P, Page 172B, recorded 9/3/1991. Tucker could not give a definitive answer or legal direction due to insufficient information. The commissioners acknowledged the complaint and it was duly noted for the record.

The next Commissioners' Meeting will be held on Monday, June 26, 2017, at 10:00 a.m. in the Commissioners' Chambers. There being no other business, the meeting was adjourned.

BARTHOLOMEW COUNTY
COMMISSIONERS

CARL H. LIENHOOP, CHAIRMAN

LARRY S. KLEINHENZ, MEMBER

ATTEST:

BARBARA J. HACKMAN

RICHARD A. FLOHR, MEMBER

ORDINANCE NO. #2017- DL

**AN ORDINANCE CREATING A CUMULATIVE
CAPITAL DEVELOPMENT FUND**

WHEREAS, due to a number of factors, in recent years Bartholomew County has faced ever-tightening budgets; and

WHEREAS, budgetary constraints have adversely impacted every department in County government including building and facilities maintenance, improvement and replacement; and

WHEREAS, the Board of Commissioners recently engaged a professional engineering firm to study and make recommendations with respect to repairs and/or replacement of the County Highway garage and repairs and maintenance for the County Courthouse; and

WHEREAS, the afore-mentioned study recommended that the Highway Garage be replaced and detailed a number of maintenance, repair and replacement items needed at the courthouse over the next five (5) to ten (10) years; and

WHEREAS, it appears unlikely that it will be possible to fund the replacement of some portion or all of the Highway Garage and the needed maintenance and repair of the courthouse without issuing bonds or creating a new source or sources of revenue; and

WHEREAS, the Indiana Legislature recently enacted legislation providing that if a County has not enacted a Cumulative Capital Development Tax, that County will not be able to continue to receive funds which it previously had been receiving for use on capital projects and in the case of Bartholomew County, the loss of income during 2017 exceeded Six Hundred Seventy Thousand Dollars (\$670,000.00).

WHEREAS, the acquisition or construction of and the maintenance, repair and replacement of buildings and facilities is among the permitted uses for funds in a Cumulative Capital Development Fund; and

WHEREAS, while it is the role and responsibility of the County Council to make decisions relative to the imposition or levying of taxes, including a Cumulative Capital Development Tax, it is the responsibility of the County Commissioners to establish the Cumulative Capital Development Fund into which any taxes collected for that purpose are to be deposited; and

WHEREAS, the County Commissioners are aware that the County Council is studying the budget and considering various alternatives in an attempt to improve the County's financial condition, one of which is a Cumulative Capital Development Tax; and

WHEREAS, the County Commissioners are aware that there are time deadlines associated with the levying or imposition of certain types of revenue sources or taxes and believe it to be prudent to create a Cumulative Capital Development Fund in the event that the County Council would decide to impose or levy a Cumulative Capital Development Tax.

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

Section I. Establishment of Fund, The Cumulative Capital Development Fund.

The Cumulative Capital Development Fund is hereby established and authorized to receive funds in the event of the imposition of a Cumulative Capital Development Tax.

Section II. Use of Funds.

Funds deposited into The Cumulative Capital Development Fund may be used to purchase, construct, equip and/or maintain and repair buildings used or to be used for public purposes; to acquire land and any improvements on it that are necessary for the construction of public buildings; to demolish any improvements on land and to prepare the land for the construction of a public building and such other purposes for which the use is permitted under Indiana law provided the same is determined to be appropriate by the Bartholomew County Commissioners.

Section III. Non-Reverting Funds

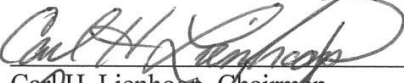
Fund 113. The Cumulative Capital Development Fund shall be a non-reverting fund. Money in the fund shall be used for those purposes designated in this Ordinance and shall not revert to the County General Fund at the end of each year.

Section VIII. Effective Date.

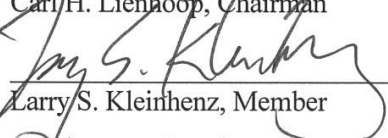
This Ordinance shall be effective immediately upon its passage.

PASSED ON FIRST READING THIS 5th DAY OF June, 2017.

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



Carl H. Lienhoop, Chairman




Larry S. Kleinhenz, Member



Richard A. Flohr, Member

ATTEST:

By: 

Barbara J. Hackman, Auditor of
Bartholomew County, Indiana

PASSED ON SECOND READING AND ADOPTED THIS 19th DAY OF
June, 2017.

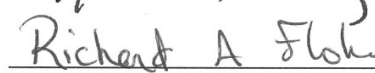
**BOARD OF COMMISSIONERS OF
BARTHOLOMEW COUNTY, INDIANA**



Carl H. Lienhoop, Chairman

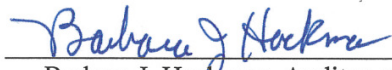


Larry S. Kleinhenz, Member



Richard A. Flohr, Member

ATTEST:

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