

COMMISSIONER'S MEETING
March 5, 2012

The Bartholomew County Commissioners met in regular session on March 5, 2012 in the Governmental Office Building, 440 Third Street, Columbus, Indiana. Chairman Larry Kleinhenz called the meeting to order at 10:00 am. Commissioner Carl Lienhoop, Commissioner Paul Franke, Auditor Barbara J. Hackman, and County Attorney J. Grant Tucker were also in attendance. Auditor's Office Administrative Supervisor Catherine Greenlee gave the Invocation and led the Pledge of Allegiance.

Next, the minutes of the February 27, 2012 meeting were approved unanimously on a motion by Commissioner Franke and seconded by Chairman Kleinhenz.

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

Next, Chairman Kleinhenz read the New Permits Report from 2/27/2012 to 3/2/2012. Twenty-five (25) building permits were issued with a fee amount of \$3,059.00 and a valuation amount of \$4,959,750.00. The monthly fee permit amount for February 2012 was \$17,290.48. Chairman Kleinhenz said that fifty percent (50%) of the permit fees collected is given to the City of Columbus. Commissioner Lienhoop said that the valuation amount was larger than normal due to a new commercial building for Cummins on McKinley Avenue valued at \$4,000,000.00.

County Highway Engineer Danny Hollander presented the Commissioners with the Bartholomew County Highway Financial Report for February 2012 for the Highway Fund, Local Roads & Street Fund, and the Cumulative Bridge Fund. Likewise, Engineer Hollander presented the Commissioners with the February 2012 Monthly Report for the Highway Department that includes the accomplishments of the Highway Crew for February, the status of Bridge Projects and Road Projects, the number of Driveway Permits and Road Cut Permits issued, and the Highway Crew Priorities for March 2012.

Next, Engineer Hollander presented the Commissioners with Driveway Bond 10B-05 for release that is located in the C & K Ward Subdivision at the intersection of Saw Mill Road and 875 West in Ohio Township. Commissioner Franke made a motion to approve releasing Driveway Bond 10B-05. Commissioner Lienhoop seconded the motion that passed unanimously.

Next, Engineer Hollander presented the Commissioners with the Consideration of a Utility Indemnifying Agreement with Smithville Digital, LLC. Engineer Hollander mentioned that the County sets up indemnifying agreements with utility companies that do regular business with the County so they do not have to post a bond every time they do a road cut or work in the right-of-way. The utility companies are still required to have permits, but this indemnifying agreement acts as a continuous bond. Commissioner Franke asked how many road cuts are expected by Smithville Digital. Engineer Hollander said that Smithville Digital is running fiber lines for the new hotels near the outlet mall in Taylorsville. Commissioner Franke asked if they will bore under the roads.

Engineer Hollander said they will bore under the roads as much as they can instead of cutting through them. Commissioner Lienhoop made a motion to approve entering into the indemnifying agreement with Smithville Digital LLC. Commissioner Franke seconded the motion that passed unanimously.

Commissioner Franke asked if the large sink hole near the Southern Crossing Bridge has been corrected yet. Engineer Hollander said that the hole has not been repaired yet because the hole was filled with water, so they needed to wait for it to dry out and they were still trying to figure out where all of it goes, etc.

Next, Engineer Hollander presented the Commissioners with the Weekly Crew Report. Last week the Highway Crew patched roads, put up signs, cut trees on 930 South, mowed in Wayne and Rockcreek Townships, ditched on 525 South, Enon Road, 100 West, 450 South, 800 South, and Sawmill Road, ground stumps, and picked up trash.

Next, Commissioner Franke mentioned that the Commissioners are aware of the damage suffered in a few of the southern Indiana counties from recent tornadoes, so the Commissioners are fine with a crew from the Bartholomew County Highway Crew going down to help clean up the damage if they are asked to do so. Commissioner Franke said that the County will pay their wages because that is the least the County can do to help the people who have suffered so much devastation.

Chairman Kleinhenz said they may need a wood chipper to rid of all the brush. Commissioner Lienhoop said that they might need Bobcats on tracks with a claw. Engineer Hollander said he would like to send help. Chairman Kleinhenz said that

Bartholomew County recently received help from adjoining counties on various issues, so this is a more than reasonable response to the devastation that those counties have encountered.

Engineer Hollander and Chairman Kleinhenz asked County Attorney J. Grant Tucker what the liability risks are. Chairman Kleinhenz asked if the County should get an invitation letter from the affected County's Highway Departments that requests our assistance. County Attorney Tucker said that Bartholomew County has entered into a mutual aid agreement with other counties with our fire and emergency personnel and it provides for liability coverage, but Attorney Tucker said that they should be covered under the County liability. Also, a little wider berth is given for a good Samaritan act. Chairman Kleinhenz said there should not be any overtime given, but the remainder of the crew here will help pick up the slack.

Bartholomew County resident Mike Lovelace said that if the Highway Crew will stay down in those counties for more than one (1) day, then he would like to see them stay in a hotel because it would be cheaper than paying for the gas to drive back and forth and paying the Highway Crew their wages for the drive over and back. Commissioner Lienhoop said if the same thing would happen in Bartholomew County, he was sure that surrounding counties would come to our aid. Even though the devastation is a little further away, the need is still there and the situation was out of the ordinary. Chairman Kleinhenz talked with Bartholomew County Emergency Management Director Dennis

Moats on Saturday who said those counties were only allowing those with credentials to come in and help out.

Bartholomew County resident John Dishinger suggests that the County coordinate with FEMA to see where our Highway Crew is needed in those counties. Chairman Kleinhenz said that the Indiana FEMA program is very effective and does a good job. Commissioner Franke mentioned that Director Moats brought a map over to their office to show where severe storms are most likely to occur. Commissioner Franke was amazed at how accurate that map was. Mr. Lovelace added that Senator Lugar was on television and said that he was not optimistic about FEMA helping because the damage sustained has to fit under FEMA guidelines before financial help can be given. Commissioner Lienhoop added that President Obama has the ability to overrule those parameters. Chairman Kleinhenz asked Engineer Hollander to extend an invitation for our Highway Crew to help with the clean-up from the tornadoes.

Next, Engineer Hollander presented the Commissioners with the MS4 Operator Monthly Stormwater Report for February 2012. During the month of February, the Highway Department picked up trash and tires on nine (9) separate occasions. The trash (bags, mattresses, etc.) was taken and disposed of at the local landfill. The tires were taken to the Highway Department and will be stored until they can be taken to or picked up by CCE in New Albany, Indiana, for recycling.

The Highway Department plowed snow and sanded roads once in the month of February, using approximately five hundred sixty (560) tons of sand/salt mix

(approximately five hundred fifty-six (556) tons of sand combined with four (4) tons of salt).

The Highway Department helped the Columbus/Bartholomew Area Water Quality – Advisory Committee to get the County up-to-date on the County MS4 Stormwater permits. The County is still on track for getting into compliance. The Advisory Committee met in February and is still on track too and will have the new logo possibly by the April report. Two (2) Executive Committee members attended the MS4 Annual Conference Planning Meeting in Zionsville. The 2012 Indiana MS4 Annual Meeting is confirmed for Thursday, May 17, 2012 at the Marriott East Conference Center in Indianapolis. For more information, please contact County Highway Technical Supervisor Stacy Gross at (812) 379-1660. Chairman Kleinhenz made a motion to accept the MS4 Monthly Stormwater Report for February 2012. Commissioner Franke seconded the motion that passed unanimously.

Finally, Engineer Hollander asked the Commissioners to sign a Title Sheet for Bridge #45 located on 425 North just east of 800 East for Mr. Eric Brunn from Strand Associates, Inc. of Columbus, Indiana. Commissioner Lienhoop made a motion to sign the Title Sheet for Bridge #45. Commissioner Franke seconded the motion that passed unanimously.

The next item on the agenda was a Consideration of Notice to Bidders for the Video Arraignment System. Commissioner Lienhoop mentioned that this will make the Courthouse compatible for video arraignment. Commissioner Lienhoop made a motion

to approve the video arraignment Notice to Bidders. Commissioner Franke added that the bids will be opened at 10:00 a.m. on Monday, April 2, 2012 at the Commissioners' meeting. Commissioner Franke then seconded the motion.

Bartholomew County resident John Dishinger asked how much this would cost. Chairman Kleinhenz said that it will cost between \$80,000 to \$100,000 dollars and will be paid out of the Telecommunications Fund. There is \$900,000 in this fund. Chairman Kleinhenz said the video arraignment will help with safety issues, manpower, etc. Chairman Kleinhenz asked for a vote. The motion passed unanimously.

Next, Bartholomew County Treasurer Pia O'Connor came before the Commissioners with the Consideration on 1st Reading of an Ordinance Authorizing Electronic Transmission of Statements and Other Information for Property Taxes and Special Assessments. Treasurer O'Connor said this will allow taxpayers to sign-up for e-billing via email. Chairman Kleinhenz asked what the cost of this would be. Treasurer O'Connor said for one (1) e-bill to be sent via email would cost forty cents (40¢). However, if a taxpayer has more than one (1) e-bill sent to the same email address, then the cost of each e-bill is reduced. For example, two (2) e-bills sent to the same email address will cost sixty cents (60¢); three (3) e-bills sent to the same email address will cost eighty cents (80¢), etc. Ms. O'Connor said this will be a net savings for the County because currently the County is paying for the printing of the bills, postage, envelopes, etc. E-billing will also be easier for the taxpayers to access their bills if they are Internet and email savvy.

Chairman Kleinhenz opened a Public Hearing. Mr. Lovelace asked if e-billing will save the County money, then why charge for the e-bills. Ms. O'Connor said the County will pay SRI Consulting Services to handle the e-billing. SRI will be responsible for gathering email addresses, sending the notifications, etc. Chairman Kleinhenz said that individual taxpayers will have to sign up for e-billing with SRI. Engineer Hollander asked how this would work if the taxpayer is escrowed. Ms. O'Connor said that the tax bill will still be sent to the bank. However, the State legislature still requires that a tax summary sheet still be sent to each individual taxpayer, so the summary sheet can be sent to those taxpayers that are escrowed. Hearing no further comments, Chairman Kleinhenz closed the Public Hearing. The Ordinance is shown below.

ORDINANCE
BOARD OF COMMISSIONERS OF BARTHOLOMEW COUNTY, INDIANA
ORDINANCE AUTHORIZING ELECTRONIC TRANSMISSION OF
STATEMENTS AND OTHER
INFORMATION FOR PROPERTY TAXES AND SPECIAL ASSESSMENTS

WHEREAS, IC 6-1.1-22-8.1 permits a county legislative body to adopt an ordinance to authorize the electronic transmission of statements and other information for property taxes and special assessments first due and payable after 2009.

WHEREAS, IC 6-1.1-22-8.1 permits, upon the adoption of an authorizing ordinance by the county legislative body, a person to direct the county treasurer and county auditor to transmit the following to the person by electronic mail: (1) a statement that would otherwise be sent by the county treasurer to the person by regular mail under IC 6-1.1-22-8.1(a)(1), including a statement that reflects installment payment due dates under IC 6-1.1-22-9.5 or IC 6-1.1-22-9.7; (2) a provisional tax statement that would otherwise be sent by the county treasurer to the person by regular mail under IC 6-1.1-22.5-6; (3) a reconciling tax statement that would otherwise be sent by the county treasurer to the person by regular mail under any of the following: (A) IC 6-1.1-22-9, (B) IC 6-1.1-22-9.7, (C) IC 6-1.1-22.5-12, including a statement that reflects installment

payment due dates under IC 6-1.1-22.5-18.5; (4) a statement that would otherwise be sent by the county auditor to the person by regular mail under IC 6-1.1-17-3(b); (5) any other information that: (A) concerns the property taxes or special assessments, and (B) would otherwise be sent: (i) by the county treasurer or the county auditor to the person by regular mail; and (ii) before the last date the property taxes or special assessments may be paid without becoming delinquent.

WHEREAS, the Board of Commissioners of Bartholomew County (“County”) desires to authorize the electronic transmission of statements and other information for property taxes and special assessments first due and payable after 2011 and to authorize a County taxpayer to direct the County Treasurer and County Auditor to transmit to the County taxpayer by electronic mail any and all of the items identified *supra*, recital paragraph two.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS:

1. The County hereby *authorizes* the electronic transmission of statements and other information for property taxes and special assessments first due and payable after 2011.
2. The County hereby authorizes each County taxpayer (hereafter the “person”) to direct the County Treasurer and County Auditor to transmit the following to the person by electronic mail and as applicable: (1) a statement that would otherwise be sent by the County Treasurer to the person by regular mail under IC 6-1.1-22-8.1(a)(1), including a statement that reflects installment payment due dates under IC 6-1.1-22-9.5 or IC 6-1.1-22-9.7; (2) a provisional tax statement that would otherwise be sent by the County Treasurer to the person by regular mail under IC 6-1.1-22.5-6; (3) a reconciling tax statement that would otherwise be sent by the County Treasurer to the person by regular mail under any of the following: (A) IC 6-1.1-22-9, (B) IC 6-1.1-22-9.7, (C) IC 6-1.1-22.5-12, including a statement that reflects installment payment due dates under IC 6-1.1-22.5-18.5; (4) a statement that would otherwise be sent by the County Auditor to the person by regular mail under IC 6-1.1-17-3(b); (5) any other information that: (A) concerns the property taxes or special assessments, and (B) would otherwise be sent: (i) by the County Treasurer or the County Auditor to the person by regular mail; and (ii) before the last date the property taxes or special assessments may be paid without becoming delinquent.

3. This ordinance takes effect with the **(select first or second)** installment of property taxes of **(select tax billing year for ordinance to be effective)** and shall continue indefinitely.
4. Notice shall be given to County taxpayers of the option to direct electronic transmission of statements and of other information for property taxes and special assessments in compliance with all applicable statutory provisions.
5. The County Treasurer and County Auditor shall have the authority to electronically submit to County taxpayers their statements and other information for property taxes and special assessments first due and payable after 2011.
6. The County Auditor and County Treasurer are authorized to negotiate and execute a contract with a provider to obtain such administrative, technical, clerical and related services (“E-Billing Services”) in order to implement a program for the electronic transmission of statements and other information for property taxes and special assessments.
7. The E-Billing Services contract shall provide for the delivery of such services by a contractor in compliance with all applicable statutory provisions for the electronic transmission of statements and other information for property taxes and special assessments. The E-Billing Services contract shall also provide for the payment of fee(s) for each parcel that a county taxpayer elects to participate in the electronic transmission of statements and other information for property taxes and special assessments.

Passed this 5th day of March, 2012.

BARTHOLOMEW COUNTY, INDIANA, by and through
the Board of Commissioners

S/s Larry S. Kleinhenz

President

S/s Carl H. Lienhoop

Commissioner

S/s Paul Franke

Commissioner

Attest: S/s Barbara J. Hackman
Auditor of Bartholomew County

Commissioner Franke made a motion to approve on 1st Reading the Ordinance authorizing electronic transmission of statements and other information for property taxes and special assessments. Commissioner Lienhoop seconded the motion that passed unanimously.

Next, Emergency Management Director Dennis Moats presented the Commissioners with the Consideration of the 2011 Homeland Security Grant Program Sub-Grant Agreement EDS #C44P-2-268A in the amount of \$74,921.00. This sub-grant is for the District 8 Task Force for which Bartholomew County is the fiscal agent. Of the \$74,921.00, \$14,921.00 will be used to purchase miscellaneous equipment and \$60,000.00 will be used for a three (3) day training deployment, as well as to pay backfill, contractors, consultants, evaluators, etc. Bartholomew County resident Mike Lovelace said we will never solve the federal deficit if we keep throwing away money like this. Chairman Kleinhenz and Director Moats agreed with Mr. Lovelace.

Commissioner Franke made a motion to approve the 2011 Homestead Security Grant Program Sub-Grant Agreement EDS #44P-2-268A. Commissioner Lienhoop seconded the motion. Bartholomew County resident John Dishinger said that grant money comes from federal money, and the federal government has a deficit that runs in the trillions of dollars. This debt is our responsibility, and one trillion dollars (\$1,000,000,000,000) of the deficit is borrowed money. Chairman Kleinhenz said it runs

four (4) to (5) trillion dollars. Mr. Dishinger said the country is borrowing money and yet spending money on projects like this. Chairman Kleinhenz said that the County could reject the grant money. Director Moats said that this grant money was assigned to Bartholomew County because another county did not accept this grant money. Chairman Kleinhenz asked for a vote on the motions made. The motion passed unanimously.

Next, Director Moats presented the Commissioners with a Proposal for Equipment for Emergency Management in the amount of \$38,440.00 that will be purchased from Identisys of Powell, Ohio. This equipment is a credentialed system that can be used to issue photo IDs in the field, do asset tracking, etc. It is currently being used in the counties that were affected by the recent tornadoes. Currently, the only people that will be let into the affected counties are those people with credentials. Mr. Moats said that the District Planning Council has approved the purchase of this equipment.

Mr. Lovelace asked where this equipment will be kept. Director Moats said that it will be kept in Bartholomew County right now, but the District Planning Council will determine where it will be placed. Mr. Lovelace asked who will be trained to run this equipment and where the funds for the training will come from. Director Moats said anyone and everyone on the Task Force will be trained on the credential system, and there is a training allowance built in this grant money. Mr. Lovelace asked how much money will be spent in the next five (5) years to keep this up-to-date. Director Moats said that the District 8 Task Force will have a three (3) year maintenance agreement on

the credential system, but after that if software updates are needed, then the Task Force will have to determine who to pay for those upgrades.

Mr. John Dishinger asked how this will be powered. Director Moats said it is an AC powered unit that is run by generators. Mr. Dishinger asked if the generators are covered in the cost. Director Moats said that the county already owns the generator needed. Likewise, the other counties in District 8 Task Force have generators too that are checked monthly to ensure they are in proper working order. Commissioner Lienhoop made a motion to approve the purchase of the equipment for District 8 Task Force from Identisys for \$38,440.00. Commissioner Franke seconded the motion that passed unanimously.

There being no other business, the meeting was adjourned by Chairman Kleinhenz at 10:47 am. The next Commissioner's meeting will be on Monday, March 12, 2012 at 10:00 am in the Commissioner's Chambers.

BARTHOLOMEW COUNTY
COMMISSIONERS

LARRY S. KLEINHENZ, CHAIRMAN

PAUL FRANKE, MEMBER

CARL H. LIENHOOP, MEMBER

ATTEST:

BARBARA J. HACKMAN, AUDITOR