

**COMMISSIONER'S MEETING**  
**October 21, 2013**

The Bartholomew County Commissioners met in regular session on October 21, 2013 in the Governmental Office Building, 440 Third Street, Columbus, Indiana. Chairman Carl Lienhoop called the meeting to order at 10:00 a.m. Commissioners Larry Kleinhenz and Rick Flohr, Attorney J. Grant Tucker and Auditor Barbara Hackman were all in attendance.

Commissioner Lienhoop gave the Invocation and led the Pledge of Allegiance.

The first item on the agenda was the approval of the October 14, 2013 meeting minutes. Commissioner Kleinhenz made the motion to approve the minutes and it was seconded by Commissioner Flohr. The motion passed unanimously.

The next item on the agenda was the approval of the Claims. Commissioner Flohr made a motion to approve the Claims as presented and it was seconded by Commissioner Lienhoop. The motion passed unanimously.

The next item on the agenda was the weekly Permit report. Chairman Lienhoop read the New Permits Report from 10/14/2013 to 10/18/2013. Twenty-five (25) permits had been issued with a fee amount of \$3,519 and a valuation amount of \$2,282,678.

The next item was Maintenance Supervisor Rick Trimpe. He stated that the Annex roof is leaking and has caused some ceiling tiles to fall in the past week. There are flat roofs on the building but the current problem is a hip roof. This area is next to the Adult Protective Services and WIC.

Supervisor Trimpe gave an update regarding the Court House project. He stated that the footers are poured for the ramp and they are working on building the walls for the ramp.

The next item on the agenda was consideration of a Design Services Agreement with United Consulting for the Replacement of Bridge No. 39 located on 300 N as presented by County Highway Engineer Danny Hollander. The Agreement is for ninety-four-thousand twenty dollars (\$94,020). Sixteen thousand dollars (\$16,000) of that amount is due to environmental permits. There is a possibility that eight-thousand dollars (\$8,000) of the sixteen-thousand dollars (\$16,000) may not be needed, but at this time it is in there to assure they have enough funding in the event it is needed. Engineer Hollander stated that he tries to keep the design cost between ten percent (10%) and twelve percent (12%). Chairman Lienhoop stated that he has seen the cost to engineering firms escalate since the collapse of the bridge in Minnesota. Commissioner Kleinhenz made a motion to enter into the Agreement with United Consulting for Bridge #39 for ninety-four-thousand twenty dollars (\$94,020). Commissioner Flohr seconded the motion which passed unanimously.

The next item Engineer Hollander had was another Design Services Agreement with DLZ for Bridge #16 near Quarry Ridge Golf Course in the amount of ninety-three-thousand one-hundred fifty dollars (\$93,150). There is fourteen-thousand dollars (\$14,000) in environmental permit fees associated with this bridge. Chairman Lienhoop made a motion to enter into the Agreement with DLZ for Bridge #16 for ninety-three-

thousand one-hundred fifty dollars (\$93,150). Commissioner Flohr seconded the motion which passed unanimously.

Engineer Hollander gave the weekly crew report as follows: they mowed in Clifty, German and Rockcreek Townships, put up signs, wedged over pipes on 600 N, 500 N, Base Road & 200 W, they replaced pipe on 300 N & driveway pipes on 550 S, 150 W & 300 W, they assisted the city with the milling of an alley, they ditched & cut down the bank on 800 S, they patched roads and picked up trash.

The next item on the agenda was the Second Reading of an Ordinance Amending the Definitions and the Administrative Subdivision Provisions of the Bartholomew County Subdivision Control Ordinance. Jeff Bergman, City of Columbus-Bartholomew County Planning Department Director presented the plan changes that were intended to clarify the present County Ordinance. There have been no changes or updates since the First Reading. Chairman Lienhoop opened the public portion of the meeting. There being no comments, he closed the public portion of the meeting. Commissioner Flohr made the motion to approve, upon Second Reading, the Ordinance Amending the Definitions and the Administrative Subdivision Provisions of the Bartholomew County Subdivision Control Ordinance which was seconded by Commissioner Kleinhenz. Motion passed unanimously. (*See Attached*)

Chairman Lienhoop discussed the FEMA Flood Hazard Map updates. Director Bergman stated that FEMA has been working for years to update all flood maps nationwide. FEMA first contacted the City/County and informed us that Bartholomew

County Flood Maps would be completed in 2005. Any one that believes they will be adversely affected by the changes can appeal. Any appeal is to run through Thom Weintraut, Senior Planner with the City/County Planning Department, as he is the contact person for the Flood Plan. Both the City of Columbus and Bartholomew County participate in the National Flood Insurance Program. We agree to adopt things such as these maps and regulations in exchange for property owners being eligible for Federally backed flood insurance. There is about a ninety (90) day appeal with this. Anyone with questions or concerns should contact Mr. Weintraut.

The next item on the agenda was the Second Reading of the consideration of an Ordinance Amending a Portion of Ordinance No. 2007-02 and 2010-03 pertaining to the Establishment and Collection by the Bartholomew County Health Department of Fees for Specific Services and Records. Collis Mayfield, Health Department Director reviewed the proposed fee schedule changes. He stated that they had placed this Ordinance on the County Website. He stated that the fee changes they are requesting are for private businesses. Chairman Lienhoop opened the meeting up for public comment. John Dishinger (*from the audience*) opposes the increases due to the fact that they do not need the money. They are requesting a \$20 fee increase as well as a new application fee of \$50. He doesn't feel we should charge a new food establishment to get started. He does not believe they need the increases in the Birth Certificates and Death Certificates. He presented the department's annual report to the Commissioners. The report states that at the end of 2012 the ending balance was nine-hundred eighty-three thousand five-hundred

three dollars (\$983,503) surplus. In 2010 they had eight-hundred six-thousand four-hundred sixteen dollars (\$806,416). The third report is the estimate of income from fees in 2014. He believes they currently have enough funding. Collis Mayfield, Director of the Health Department stated that they must have a balance to operate the department for the next six (6) months. He would rather see the person that is using the service pay for the fee as opposed to requiring all the taxpayers to pay the costs. Bartholomew County is in the middle of the pricing when compared to the other ninety-one (91) Counties. There being no further comments, the public portion of the meeting was closed. Chairman Lienhoop agreed with Mr. Dishinger regarding the fees for death certificates. Collis Mayfield explained that the fees do not completely fund the programs; they just make up for some of the funds. Commissioner Flohr is in favor of tabling the issue to review the information that was provided by Mr. Dishinger. Commissioner Kleinhenz stated that he has been on both sides of this and feels it is appropriate for the business owner to pay for the service as opposed to making the other taxpayers subsidize it. It is up to the County Council to review the budget and if they find there are excessive funds they need to cut the funding. He is in favor of keeping the death certificates at the current price as that is a rough time for people. Commissioner Flohr made a motion to table the adoption of the said Ordinance for a week. Commissioner Kleinhenz seconded the motion that passed unanimously. Collis Mayfield would like to know what information they would like to see prior to the next meeting so that he can prepare it for the meeting. Auditor Hackman noted that the money is not really a surplus; it is the money to run the department until

the next property tax distribution. The Council has also reduced the tax rate a couple of years ago due to the balance. She also believes the rate has stayed the same since then. She will get that information for the next year. They cannot run in the red. Commissioner Kleinhenz stated that Collis Mayfield runs a very frugal department. Collis Mayfield stated they are raising the fees to keep the tax rate lower. (*See Attached*)

The next item on the agenda was consideration of an Ordinance Adopting the Bartholomew County, Indiana Personnel Policies Handbook. It was noted that it has doubled in size in the last twelve (12) years. Auditor Hackman stated some of the growth was due to the appendix which includes those departments that have differing personnel policies. It makes it very complicated for the Auditor's Office to administer different policies. Some of the items that have changed are Workmen's Compensation and what days off they must use; jury duty for County or Federal; social media. Also the Affordable Care Act required changes as to the definitions of part-time employees. There are also changes to the Family Medical Leave Act. Chairman Lienhoop opened the public portion of the meeting. Mike Lovelace (*from the audience*) asked as to the procedures for new employees receiving the policy and what procedures are in place if someone does not agree with a penalty. Auditor Hackman stated that new employees sign a form that they have received their copy of the policy. Attorney Grant Tucker explained that there is an entity that reviews those items. He doesn't remember off the top of his head who the members are of the committee, but there is a group of people for that process. This is the First Reading. Chairman Lienhoop stated that this is current as

it can be for today. Commissioner Kleinhenz made a motion to adopt on First Reading the Ordinance accepting the Bartholomew County Personnel Policy. Commissioner Flohr seconded the motion which passed unanimously.

Chairman Lienhoop asked for any further business. Mike Lovelace (*from the audience*) suggested that the County might need to look into hiring a person to do the design work for bridges as we spent almost two-hundred-thousand dollars (\$200,000) on two (2) bridge designs. Attorney Tucker stated that by hiring an engineering firm, the company has various personnel with various areas of expertise.

John Dishinger (*from the audience*) asked if there was any information regarding as to how the bridge from Petersville was moved to Newbern. He believes it would be very interesting information.

There being no other business, the meeting was adjourned by Chairman Lienhoop at 10:54 a.m. The next Commissioners' meeting will be on Monday, October 28, 2013 at 10:00 a.m. in the Commissioners' Chambers.

BARTHOLOMEW COUNTY  
COMMISSIONERS

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CARL H. LIENHOOP, CHAIRMAN

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LARRY S. KLEINHENZ, MEMBER

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RICHARD A. FLOHR, MEMBER

ATTEST:

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BARBARA J HACKMAN



ORDINANCE NO.: \_\_\_\_\_, 2013

**AN ORDINANCE AMENDING THE DEFINITIONS AND THE ADMINISTRATIVE SUBDIVISION PROVISIONS OF THE BARTHOLOMEW COUNTY SUBDIVISION CONTROL ORDINANCE.**

**Favorably Recommended by  
Bartholomew County Plan Commission General Resolution 2013-02**

**WHEREAS**, the current Subdivision Control Ordinance of Bartholomew County was adopted by the Bartholomew County Board of Commissioners on October 21, 1986; and

**WHEREAS**, the Plan Commission, based on its experiences, has determined that certain provisions are in need of update, revision, and clarification; and

**WHEREAS**, the process of creating the proposed revisions to the Subdivision Control Ordinance has included opportunities for input from end-users of the document who are specifically affected by those revisions, specifically local land surveyors, the Bartholomew County Highway Department, and the Bartholomew County Surveyors Office; and

**WHEREAS**, these proposed revisions to the Subdivision Control Ordinance were prepared consistent with the provisions of IC 36-7-4-701(b) and for the purposes described by IC 36-7-4-601(c); including (1) the securing of adequate light, air, convenience of access, and safety from fire, flood, and other danger; (2) lessening or avoiding congestion in public ways, and (3) promoting the public health, safety, comfort, morals, convenience and general welfare; and

**WHEREAS**, the Plan Commission did, on September 11, 2013, hold a public hearing consistent with the applicable requirements of Indiana Law (IC 36-7-4-604); including providing the required published notice; and

**WHEREAS**, the Plan Commission has made a favorable recommendation to the Board of County Commissioners on the adoption of the proposed Subdivision Control Ordinance revisions.

**NOW THEREFORE BE IT ORDAINED** by the Board of Commissioners of Bartholomew County, Indiana, as follows:

**SECTION 1: Subdivision Control Ordinance Revised**

The Bartholomew County Subdivision Control Ordinance is revised as described below:

1. Sec. 16.08.010 Definitions: The current content of this section is deleted in its entirety and replaced with the following:

**Access Point:** A driveway or other means of physical connection for the movement of vehicles between a property and an adjacent property, street or road.

**Adjacent Property Owners:** The owners of property contiguous to the subject property, excluding those who are also the owners of the subject property, ignoring all intervening streams, street and railroad rights-of-way and other similar features.

**Agricultural Purpose:** Farming, dairying, pasturing, agriculture, horticulture, floriculture, and animal and poultry husbandry.

**Agricultural Remainder:** The portion of the parent tract that remains as the result of an Administrative Subdivision by which a new lot(s) for an existing home has been created. The building

rights are transferred to the new Administrative Lot created, leaving the Agricultural Remainder "unbuildable." The remainder does not have to be surveyed, but must have an agriculture affidavit.

**Agricultural Tract:** A tract created only through the Agricultural Subdivision process (possibly combined with an Administrative or Minor Subdivision on the same property) only for agriculture purposes and is therefore "unbuildable." The tract does not have to be surveyed, but must have an agriculture affidavit.

**Alley:** A public or private way primarily designed to provide vehicle access to the side or rear of those properties which have their principal frontage and pedestrian access on a street.

**Applicant:** See *petitioner*.

**Approval, Administrative:** An approval granted to an Administrative or Agricultural Subdivision by the Planning Director indicating that the subdivision complies with the applicable standards.

**Approval, Primary:** An approval (or approval with conditions) granted to a subdivision by the Commission indicating that it has determined that the subdivision complies with the applicable standards.

**Approval, Secondary:** An approval by the official designated by the Commission indicating that all conditions of primary approval and other applicable standards have been met.

**Bicycle and Pedestrian Plan:** The part of the comprehensive plan, now or hereafter adopted, which includes a roadmap for the creation of a system of bicycle and pedestrian facilities providing access to and connectivity between all areas of the City of Columbus and/or Bartholomew County.

**Block:** Property abutting on one side of a street, and lying between the two nearest intersecting or intercepting streets, or between the nearest intersection of intercepting street and railroad right-of-way, waterway or other definite barrier.

**Board:** The Board of Public Works and Safety of Columbus, Indiana for the City of Columbus jurisdiction and the Board of Commissioners of Bartholomew County for the Bartholomew County jurisdiction.

**Board of Health:** The Indiana State Board of Health.

**Chord Bearing:** The bearing from the start point of the curve to the end point of the curve.

**Chord Distance:** The distance of a line that links two points on a curve.

**City Engineer:** The City of Columbus City Engineer.

**City:** The City of Columbus, Indiana.

**Closure:** The process of measurement in a closed figure for a check on horizontal or vertical precision.

**Columbus City Utilities:** The Columbus city sewer and water utilities department primarily serving properties within the City of Columbus.

**Commission:** The Columbus Plan Commission or the Bartholomew County Plan Commission, with authority for the jurisdiction in which the subdivision is located.

**Common Area:** Land within a development which is not individually owned or dedicated to the public, but which is designed and intended for the use, enjoyment, and maintenance of the property owners within that development or other specific area.

**Comprehensive Plan:** A document, consistent with the requirements of the Indiana Code, which is a compilation of policy statements, goals and objectives, standards, maps, and statistical data for the physical, social, and economic development of the community.

**Construction Plans:** *Also referred to as Improvement Plans.* Any maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed for the subdivision in accordance with the applicable standards and as a condition of the approval of the plat.

**Cost Estimate:** An exhibit in association with construction plans that provides a detailed cost estimate of the individual improvements as required for a Major Subdivision.

**County:** Bartholomew County, Indiana.

**County Engineer:** The Bartholomew County Highway Engineer.

**County Surveyor:** The Bartholomew County Surveyor.

**Covenant:** A private agreement between property owners which places a restriction on the development of land through a written, recorded document.

**Cul-De-Sac:** A street or road with a single common ingress and egress and with a circular turn-around at the end.

**Curve:** A line or outline that gradually deviates from being straight for some or all of its length.

**Department:** The City of Columbus – Bartholomew County Planning Department or any agency officially designated as a successor thereto.

**Drainage Board:** The Bartholomew County Drainage Board.

**Drainage Swale:** A natural or constructed waterway, usually broad and shallow, covered with erosion-resistant grasses, used to conduct surface water from a field, diversion or other site feature.

**Drainage System:** Any combination of surface and/or subsurface drainage components fulfilling the drainage requirements of this Article.

**Easement:** A grant by a property owner, for the use by another person or entity, of any designated part of their property for a clearly specific purpose.

**Easement, Access:** An easement which provides access to lots, tracts or parcels of land across an adjoining parcel or parcels.

**Easement, Drainage:** An easement granted for the purpose of maintaining drainage. The drainage easement may include a culvert or drain which feeds into a drainage system or for drainage of runoff over an area of the property.

**Easement, Landscape:** An easement used specifically for the installation and maintenance of a required Landscape Buffer. *See Landscape Buffer.*

**Easement, Pedestrian:** An easement used specifically for the purpose of providing a public sidewalk or other pedestrian facility that could not be located in the public right-of-way.

**Easement, Street Tree:** An easement used specifically for the installation and maintenance of required street trees that could not be planted in the public right-of-way due to substantial conflicts.

**Easement, Utility:** An easement used specifically for the installation and maintenance of a utility.

**Engineering Department:** The Columbus, Indiana City Engineer's Office.

**Erosion:** The wearing away of the land surface by the action of wind, water or gravity.

**Erosion Control Handbook:** A handbook adopted by the Board of Public Works and Safety or the County Commissioners, as applicable, detailing erosion control methods.

**Fire Department:** The fire department having jurisdiction over the subject property and/or the Bartholomew County Fire Inspector acting on their behalf.

**Flood Protection Grade:** The elevation of the regulatory flood plus two feet at any given location in the Flood Hazard Area.

**Floodplain (Flood Hazard Area):** The relatively flat area or low land adjoining the channel of a river or stream which has been or may be covered by the regulatory flood. The flood plain includes the channel, floodway, and floodway fringe. Floodplain boundaries are to be determined by using the Floodway-Flood Boundary Maps of the Federal Insurance Administration/Federal Emergency Management Administration (FEMA) and/or any supplements adopted by the jurisdiction.

**Floodway:** The channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

**Floodway Fringe:** Portions of the floodplain lying outside the floodway.

**Frontage:** The width of a lot measured along a straight line connecting the side lot lines at points where said side lot lines intersect the right-of-way line of a public or private street from which such lot has legal access. For purposes of determining compliance with minimum frontage requirements, the frontage shall be continuous on a single street.

**Grading:** Any stripping, cutting, filling, stockpiling or any combination thereof and shall include the land in its cut or filled condition.

**Health Department:** The Bartholomew County Health Department.

**Improvement Plans:** See *Construction Plans*.

**Individual Sewage Disposal System:** A sewage disposal system for a single parcel or structure, usually but not necessarily a septic tank filter field.

**Interested Parties:** Those parties who are to be notified by mail of a public hearing on a proposed subdivision of land. Interested parties shall be those parties so defined in the Plan Commission Rules of Procedure.

**Jurisdiction of the Commission:** The area over which the Plan Commission has authority.

**Landscape Buffer:** Any combination of fences, walls, hedges, shrubs, trees and other landscape materials which effectively provide a solid, dense and opaque mass, to prohibit view, absorb sound and provide site delineation. Such screen shall provide total opacity throughout the year. Landscape buffers shall comply with the definition of a "Type A Buffer" contained in the Columbus and Bartholomew County Zoning Ordinance.

**Legal Access:** A platted access easement or the minimum required frontage on a street.

**Legal Description:** A description recognized by law which definitely describes property by reference to government surveys, coordinate systems or recorded maps; a description which is sufficient to locate the property without oral testimony.

**Legal Drain:** Any drainage system consisting of an open drain, a tiled drain, or any- combination of the two, that is under the jurisdiction of the County drainage board as provided by I.C. 36-9-27.

**Legend:** A key located on a plat used to explain what the symbols within the drawing mean.

**Location Map:** See *Vicinity Map*

**Lot:** A parcel of land created only through the Major or Minor Subdivision process that is buildable. The label "lot" signifies the parcel has been surveyed, monumented, dedicated the required amount of right-of-way, verified as having acceptable means of sewage disposal and otherwise reviewed and found to comply with the requirements of this ordinance.

**Lot, Administrative:** A parcel of land documented only through the Administrative Subdivision process that is buildable. The label "administrative lot" signifies the parcel has been surveyed, monumented, and otherwise reviewed and found to comply with the requirements of this ordinance, but has not been verified as having acceptable means of sewage disposal or otherwise reviewed or had dedicated the required amount of right-of-way.

**Lot Width:** The distance between side lot lines as measured at and along the front setback line.

**Marker or Monument:** A pipe, rod, nail, or any other object which is intended to be a permanent survey point for record purposes.

**No Access Notation:** A notation placed on a plat or subdivision drawing indicating an area in which property access to a public right-of-way is not permitted.

**Offsite:** Any premises not located within the area of the property to be subdivided, whether or not such premises are in the same ownership as the property to be subdivided.

**Owner:** Any person, firm, corporation, or other legal entity listed in the records of the county auditor having title to land sought to be subdivided under these regulations.

**Parent Tract:** The buildable land from which a new lot(s) or tract(s) of land are being taken from as recorded in the Recorder's Office.

**Parent Tract Remainder:** The portion of the parent tract that remains as the result of a subdivision by which new lots or tracts are created through the Minor Subdivision process or as used to label future phases of a Major Subdivision. The parent tract remainder retains the original parent tract's status as a "buildable" parcel without being surveyed. The label "lot" shall not be applied to the parent tract remainder on any plat unless it has been surveyed, monumented, verified as having acceptable means of sewage disposal, and otherwise reviewed and found to comply with the requirements of this Ordinance to the same extent as new "lots" that are created. A parent tract remainder does not need to be surveyed, but it must meet the minimum requirements of the Zoning Ordinance.

**Person:** includes an individual, corporation, firm, partnership, association, organization or any other unit or legal entity.

**Petitioner:** means the owner(s) of land proposed to be subdivided or his/her representative. This includes potential future owners or developers. Surveyors, designers, or other professionals involved in the project should not be considered petitioners.

**Plat:** The map, drawing, or plan a subdivision.

**Plat Committee:** The Plat Committee, appointed by the Plan Commission, consistent with its Rules of Procedure.

**Plat, Final:** A drawing prepared in accordance with the provisions of this ordinance, submitted for secondary approval and intended for recording.

**Plat, Preliminary:** A drawing indicating the proposed manner or layout of a subdivision to be submitted to the Commission for primary approval in accordance with this ordinance.

**Primary Approval:** Approval granted by the plan Commission to a preliminary plat.

**Radius:** The distance from the center of the curve to any point on the circular curve.

**Regulated Drain:** Any drainage system over which the county drainage board has legal control.

**Relative Positional Accuracy:** The value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95% confidence level.

**Replat:** Any change in an approved preliminary or final plat.

**Right-of-Way:** A strip of land, other than an easement, dedicated for public use and to be occupied or intended to be occupied by a street, pedestrian way, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, drainage swale, or for another special use. The boundaries of such rights-of-way are considered to be the lot lines of adjoining property from which setback distances are measured.

**Road:** See *Street*.

**Secondary Approval:** The final approval granted to a subdivision by the commission or a designated representative. This approval authorizes the owner or agent to record the plat.

**Section Corner:** A corner established as part of the United States Public Land Survey System used for horizontal control in describing land.

**Street:** A right-of-way dedicated or otherwise legally established which affords the principal means of access to abutting property. A street may be designated as a highway, thoroughfare, parkway, boulevard, road, avenue, lane, drive or other appropriate name. A street also is classified according to function as defined in the Official Thoroughfare Plan.

**Street, Marginal Access:** Local roads which are parallel to and separated by a limited access landscape buffer strip from arterial streets and highways. These roads provide for access to abutting property on one side only. *Note: This definition shall not be interpreted as including Marginal Access Subdivision streets in the jurisdiction of the Bartholomew County Plan Commission.*

**Street, Private:** Streets which serve the same function as local streets but which are not dedicated to nor maintained by any unit of government.

**Subdivider:** See *Petitioner*.

**Subdivision:** The division of a parcel of land into two or more lots, parcels, or other similar units.

**Subdivision, Administrative:** Is the platting process that includes one or more of the following:

1. The removal of interior lot lines, with the outside perimeter of the property remaining unchanged, resulting in fewer parcels than were contained in the original parcel;
2. The removal or relocation of easements on the property;
3. The changing of notations written on the plat or correction of errors thereon;
4. A division of land pursuant to an allocation of land by court decree;
5. To correct errors in an existing legal description, provided that no additional building lots are created;
6. A division of land for the sale or exchange of tracts between adjoining land owners, provided that no additional building sites are created;
7. A division or resubdivision of land for the acquisition by the public or by a utility for street right-of-way or easement; or
8. A division of a building site containing an existing dwelling which has been located on the site for at least three years from an agricultural parent tract.

**Subdivision, Agricultural:** Is the subdivision of land to create a parcel for agricultural purposes, not for building, which meets the following criteria:

1. All parcels, including the parent tract have legal access; and
2. The land is being divided for agricultural purpose and not for the purpose, whether immediate or future, of use, building development, or other improvement for residential, commercial, industrial, recreational or other nonagricultural purposes; and
3. Contains at least seventy-five percent Class I or Class II soils as shown in and defined by the Soil Survey of Bartholomew County; or
4. At least seventy-five percent of the land is planted with fruit-or-nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years; or
5. At least seventy-five percent of the land is planted with ornamental plants or trees for sale for use in landscaping; or
6. Has at least seventy-five percent of its area planted with trees of the species, Pinus, Picea, or Abies (pine, spruce or fir) grown for the purpose of sale as Christmas trees; or
7. Which has been used in three of the last five years for the cultivation and harvesting of crops, grazing by livestock, production of dairy products, the raising of poultry and production of eggs, or the raising of livestock.

**Subdivision Benchmark:** A permanent monument of known elevation, tied to the U.S.G.S. Benchmark System, installed at ground level.

**Subdivision, Major:** A division of land involving new streets, alleys, roads, other public infrastructure or the extension of utilities. This should not include those minor subdivisions that require the installation of sidewalks.

**Subdivision, Minor:** A division of land fronting an existing public right-of-way, not involving any new streets, alleys, roads, other public infrastructure (other than sidewalks), or not requiring the extension of utilities. *Note: To qualify as a minor subdivision the proposal must meet all of the conditions set forth in Chapter 4 of this Article.*

**Subdivision Improvement Agreement:** A document which establishes the contractual relationship between the developer of a subdivision and the local government of jurisdiction for the installation of improvements in accordance with the applicable standards and specifications.

**Subdivision Review Committee:** A committee established by the commission to assist with the technical evaluation of subdivisions and to make appropriate technical recommendations to the commission.

**Subsurface Drainage:** A system of pipes, tile, conduit or tubing installed beneath the ground surface used to collect ground water from individual parcels, lots or building footings.

**Surface Drainage:** A system by which the storm water run-off is conducted to an outlet. This would include the proper grading of parking lots, streets, driveways, yards, etc. so that storm water runoff is removed without ponding and flows to a drainage swale, open ditch or a storm sewer.

**Thoroughfare Plan:** The part of the comprehensive plan, now or hereafter adopted, which includes a major street and highway plan and sets forth the location, alignment, dimensions, identification, and classification of existing and proposed public streets, highways and other thoroughfares.

**Tract:** See *Parent Tract* or *Agricultural Tract*.

**Unbuildable:** A parcel of land with no building rights. To gain building rights the parcel must be surveyed, verified as having acceptable means of sewage disposal, and otherwise reviewed and found to comply with the subdivision control requirements.

**Vicinity Map:** A map showing the location of a subdivision in relation to a larger area. This may include major thoroughfares related to the subdivision, nearby community facilities such as parks, schools, fire stations, etc. and adjoining property. This may also show the parent tract.

**Witness Marker:** A marker or monument that is set as a reference to the actual corner when it is not possible or practical to set actual corner.

**Zoning Ordinance:** An ordinance and maps, which divide the area within the territorial zoning jurisdiction into zoning districts. The zoning ordinance prescribes and establishes regulations and procedures for the establishment of land use controls.

2. Sec. 16.12.060 Administrative Subdivisions: 16.12.060(c)(7) regarding cemetery plots, is deleted and subsequent items are re-numbered as appropriate.

## **SECTION 2: Repealer**

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

## **SECTION 3: Severability**

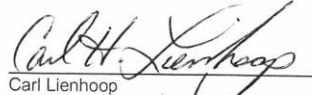
If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of this ordinance, or the application of such provision to other circumstances, shall be unaffected.

## **SECTION 4: Effective Date**

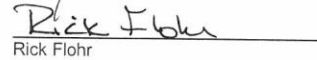
This ordinance shall be effective upon adoption and any publication required by Indiana Law.



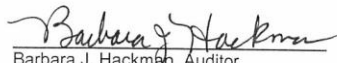
PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW  
COUNTY, INDIANA ON FIRST READING THIS 14<sup>th</sup> DAY OF October, 2013.

  
Carl Lienhoop

  
Larry S. Kleinhenz

  
Rick Flohr

ATTEST:

  
Barbara J. Hackman, Auditor  
Bartholomew County, Indiana

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW  
COUNTY, INDIANA ON SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
Carl Lienhoop

\_\_\_\_\_  
Larry S. Kleinhenz

\_\_\_\_\_  
Rick Flohr

ATTEST:

\_\_\_\_\_  
Barbara J. Hackman, Auditor  
Bartholomew County, Indiana

Prepared by the City of Columbus - Bartholomew County Planning Department  
Jeffrey R. Bergman, AICP #014602 - Planning Director

ORDINANCE 2013-\_\_\_\_\_

AN ORDINANCE AMENDING A PORTION OF  
ORDINANCE 2007-2 AND 2010-3 PERTAINING TO THE ESTABLISHMENT  
AND COLLECTION BY THE BARTHOLOMEW COUNTY HEALTH DEPARTMENT  
OF FEES FOR SPECIFIC SERVICES AND RECORDS

WHEREAS, the Bartholomew County Commissioners did, by Ordinance 1992-07, establish a schedule of fees for certain services performed by and records obtained from the Bartholomew County Health Department; and

WHEREAS, certain fees established by Ordinance 1992-07 were changed by Ordinances 2007-2 and 2010-3; and

WHEREAS, at the request of the Health Department, the Bartholomew County Commissioners believe it to be appropriate to amend a portion of Ordinances 2007-2 and 2010-3 to change fees charged for various services provided by the Health Department and various sections dealing with inspections performed by and licenses or permits issued by the Health Department.

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

SECTION 1, SUBSECTION K of ORDINANCE 2007-2 formerly entitled "INJECTION FEES", is hereby retitled "IMMUNIZATION FEES" and is further amended, revised and changed to read as follows:

K. IMMUNIZATION FEES:

Injectable vaccines	At Insurance Pay Rate
Oral Vaccines	At Insurance Pay Rate
Nasal Mist Vaccines	At Insurance Pay Rate
All Pediatric Vaccines: Children who do not meet State Criteria for Vaccine For Children (VFC) or the 317 program	At Insurance Pay Rate
Administration Fee (per Immunization)	At Insurance Pay Rate

SECTION I, SUBSECTION L of Ordinance 2007-2 and Ordinance 2010-3 pertaining to fees charged for screenings are hereby amended, revised and changed to read as follows:

L. SCREENINGS

TB Skin Test	At Insurance Pay Rate
Blood Work	At Insurance Pay Rate
STD Testing	At Insurance Pay Rate
Administration Fee	At Insurance Pay Rate

SECTION I, SUBSECTION C of Ordinance 2007-2 pertaining to fees related to Mobile Retail Food Establishments is hereby amended, revised and changed to read as follows:

Annual	\$100.00
July through December	\$ 50.00

SECTION I, SUBSECTION A of Ordinance 2007-2 pertaining to Retail Food Establishments is hereby amended, revised and changed to read as follows:

RETAIL FOOD ESTABLISHMENT PERMANENT LOCATION

1-5 Employees	\$140.00 Annually \$ 70.00 July through December
6-10 Employees	\$240.00 Annually \$120.00 July through December
11 or More Employees	\$340.00 Annually \$170.00 July through December
Retail Food Application Fee	\$ 50.00

SECTION I, SUBSECTION G of Ordinances 2007-2 AND 2010-3 Pertaining to fees for certificates and other types of documents is hereby amended, revised and changed to read as follows:

BIRTH CERTIFICATE FEES

Regular (with sleeve)	\$10.00
Small (with sleeve)	\$10.00
Combination (both)	\$15.00

DEATH CERTIFICATE FEES

Each	\$10.00
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This Ordinance, and the amendments to the fee schedules contained therein shall be effective upon its passage.

The remainder of Ordinance 2007-2 and Ordinance 2010-3 shall remain unchanged.

PASSED ON FIRST READING THIS 7<sup>th</sup> DAY OF October, 2013.

BOARD OF COMMISSIONERS OF  
BARTHOLOMEW COUNTY, INDIANA

Carl H. Lienhoop  
Carl H. Lienhoop, Chairman

Richard A. Flohr  
Richard A. Flohr, Member

Larry S. Kleinhenz, Member

ATTEST:

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

PASSED ON SECOND READING AND ADOPTED THIS \_\_\_\_ DAY OF  
\_\_\_\_\_, 2013.

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