

## COMMISSIONERS' MEETING

April 15, 2019

The Bartholomew County Commissioners met in regular session on April 15, 2019, in the Governmental Office Building, 440 Third Street, Columbus, Indiana. Commissioners Rick Flohr, Larry Kleinhenz and Carl Lienhoop were present. Attorney J. Grant Tucker and Auditor Pia O'Connor were also present.

Chairman Flohr called the meeting to order and gave the invocation and led the Pledge of Allegiance.

The first order of business was the approval of minutes for the 4/8/19 Commissioners' Meeting. Commissioner Lienhoop made a motion to approve the minutes. Commissioner Kleinhenz seconded the motion that passed unanimously.

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

Chairman Flohr read into the minutes the New Permit Report dated 4/8/19 through 4/12/19. Thirty (30) permits were issued with fees collected of \$3,789 and estimated construction costs of \$1,770,772.

County Engineer Danny Hollander gave the Highway Weekly Crew Report which included the following work: patched roads; put up signs; ran the ditcher in Wayne and Hawcreek Townships; graded and added stone to 850S, 1000S, 200E, 400S, 500S, and alleys in Taylorsville; put down stone along newly paved roads; ditched and replaced pipes on 700S, 550W, Grandview, Carr Hill, 50N, 725W, 450W, Sprague Road, and 525E; and cut down the bank on 700N. Milestone paved Northgate and 500S.

Hollander submitted the **Highway Monthly Crew Report** for March, 2019, which included crew work, status of bridge and road projects and upcoming crew priorities for April, 2019.

He had also reviewed the low bid of \$693,017.40 received last week from Duncan Robertson, Inc., for the **replacement of Bridge #66** on 900E in Hawcreek Township. He found no exception in meeting the specifications and recommended accepting the bid. Commissioner Lienhoop made a motion to award the job to Duncan Robertson, as recommended. Commissioner Kleinhenz seconded the motion that passed unanimously.

Hollander then requested consideration of giving **Notice to Bidders** for the replacement of **Bridge #301** on 300E over the Sidney Branch of Flatrock River in Rockcreek Township. Commissioners would receive bids in their office until 10:00 a.m. on 5/6/19 to be opened and read in their meeting that morning. Commissioner Kleinhenz motioned to give Notice to Bidders for Bridge 301. Commissioner Lienhoop seconded the motion that passed unanimously.

Hollander also presented a Section 130 **Commitment and Authorization Letter to INDOT for three (3) railroad crossing signal installations**. Until recently, the county's commitment to participate in INDOT projects has been evidenced through a signed project coordination contract. Now, that commitment will be documented using the Section 130 Commitment and Authorization letter. The letter serves as a commitment to fund the required 10% match for the crossing projects at CR 650, CR 950S, and CR 800N. It also serves as authorization for the railroad company to proceed with preliminary engineering work.

The estimated cost per crossing is \$405,000, making the county's total 10% match for the three projects \$121,500. Hollander said costs would be paid from the Highway budget. However, Auditor Pia O'Connor explained that a project like this would be eligible for public safety LIT funding. Funding might come from unappropriated LIT funds remaining for 2019, or budgeted for 2020. By attending county council meetings, O'Connor is aware the county council has concerns about public safety at the railroad crossings and might welcome the opportunity to support these types of safety improvements. Hollander will pursue LIT as a source of funding. Commissioner Lienhoop moved to sign the letter of commitment. Chairman Flohr seconded the motion that passed unanimously.

The commissioners signed a project coordination contract with INDOT for the 800N railroad crossing last year on 9/10/18. With the project now included in INDOT's Section 130 Letter above, the commissioners will seek legal counsel regarding any action to be taken on the contract.

In addition to the three crossings mentioned above, Hollander said that the railroad company is going to cover the local 10% match for two other railroad crossing projects at Spear Street and 550N.

Next, Planning Department Associate Planner Melissa Begley presented a **dedication of right-of-way ("ROW") for Meadow Lawn Industrial Park Minor Subdivision (EBC/MIP-19-02)**, totaling approximately 1.41 acres along 800N. Breeden, Inc. has requested to create four new lots consisting of 31.54 acres, and a parent tract remainder of 138.79 acres. The subject property is located at the northeast corner of the intersection of US31 and 800N, in German Township.

Commissioner Kleinhenz motioned to accept the dedication of ROW. Commissioner Lienhoop seconded the motion that passed unanimously.

Amanda Organist, Director of Nursing at the Health Department, presented proposals for a **blood lead test analyzer kit** to be paid with money received from the Lead and Healthy Homes Grant. The device will allow the Health Department to do outreach screening with immediate results to give to parents.

|                             |            |
|-----------------------------|------------|
| Henry Schein (Melville, NY) | \$2,588.05 |
| Mohawk Medical Mall (.com)  | \$2,759.98 |
| McKesson (.com)             | \$2,871.82 |

Commissioner Kleinhenz motioned to accept the low bid from Henry Schein. Commissioner Lienhoop seconded the motion that passed unanimously.

Next was the consideration of an **ordinance amending Health Department fees** for specific services and records. See content of the ordinance inserted here.

#### ORDINANCE 2019- 02

##### AN ORDINANCE AMENDING A PORTION OF ORDINANCES 2007-2, 2010-3 AND 2013-4 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, 2010-3 and 2013-4; 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, 2010-3 and 2013-4 to change fees charged for various services provided by the Health Department.

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

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 Health Department Cost |
| Blood Work                | At Health Department Cost |
| STD/Hepatitis/HIV Testing | At Health Department Cost |
| Administration Fee        | At Insurance Pay Rate     |

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

The remainder of Ordinance 2007-2, Ordinance 2010-3 and Ordinance

2013-4 shall remain unchanged.

- End of Insert -

The cost for screening tests previously read - “At Insurance Pay Rate”; but now reads - “At Health Department Cost”. Chairman Flohr opened the meeting for public hearing. There being no comments, he then closed the meeting. Commissioner Lienhoop motioned to pass the ordinance on first reading. Commissioner Kleinhenz seconded the motion that passed unanimously.

Commissioner Lienhoop acknowledged the receipt of the March, 2019, **Clerk’s Monthly Report** signed by County Clerk Jay Phelps. He moved to accept the report. Commissioner Kleinhenz seconded the motion which passed unanimously.

Commissioner Kleinhenz acknowledged the receipt of the March, 2019, **Treasurer’s Monthly Report** signed by County Treasurer Barbara Hackman. He moved to accept the report. Chairman Flohr seconded the motion which passed unanimously.

Next was consideration of the **ratification of a Youth Services Center** expense for the replacement of a security camera. Security Automation Systems, Inc., submitted an invoice for \$1,416. Audience member Mike Lovelace asked why only one company was considered. Commissioners explained that SAS equipment was compatible and easily configured into the existing security network, as SAS was the original system installer. The explanation was submitted in writing by Circuit Court Recorder Tammy Johannesen, along with the invoice from SAS. Lovelace suggested the ratification could be presented in person. Chairman Flohr motioned to table the request until next week when it could be presented by someone from Circuit Court/Youth Services. Commissioner Kleinhenz seconded the motion. The vote passed by a majority of 2-1 with Commissioner Lienhoop casting the nay vote.

Chairman Flohr announced that the county offices will be closed on Friday, 4/19/19, in observance of Good Friday.

County Attorney Grant Tucker then read the bids for County Highway paving materials - **hot mix, cold mix, and liquid asphalt**. All materials are priced per ton.

Bids received for *Cold Mix* materials:

| <i>Item Description</i> | <i>US Aggregates</i> |
|-------------------------|----------------------|
| AWP 300                 | \$105.00             |
| #9 Pug Mill Mix         | --                   |
| #11 Pug Mill Mix        | --                   |

Bids received for *Hot Mix* materials:

| <i>Item Description</i> | <i>Globe Asphalt</i> | <i>Milestone</i> |
|-------------------------|----------------------|------------------|
| 25 mm Base              | \$46.00              | \$50.00          |
| 19 mm Intermediate      | \$47.50              | \$51.50          |
| 12.5 mm Intermediate    | \$50.00              | \$52.50          |
| 12.5 mm Surface         | \$54.50              | \$52.50          |
| 9.5 mm Surface          | \$55.00              | \$54.50          |
| HPCM 300                | \$160.00             | \$145.00         |

Bids received for *Liquid Asphalt*:

| <i>Item Description</i> | <i>Asphalt Materials, Inc.</i> |                |              | <i>Marathon Petroleum Co., LLC</i> |                |              | <i>Terry Asphalt Materials, Inc.</i> |                |              |
|-------------------------|--------------------------------|----------------|--------------|------------------------------------|----------------|--------------|--------------------------------------|----------------|--------------|
|                         | <i>Job Site</i>                | <i>Storage</i> | <i>Plant</i> | <i>Job Site</i>                    | <i>Storage</i> | <i>Plant</i> | <i>Job Site</i>                      | <i>Storage</i> | <i>Plant</i> |
| RS-2 (Chip & Seal)      | \$356.99                       | \$356.99       | --           | \$371.28                           | \$371.28       | --           | \$378.42                             | \$378.42       | --           |
| AE-90 (Dura-Patcher)    | \$356.99                       | \$356.99       | --           | \$371.28                           | \$371.28       | --           | \$442.68                             | \$442.68       | --           |
| AE-PL                   | \$384.00                       | --             | \$528.00     | \$371.28                           | --             | \$371.28     | \$333.20                             | --             | \$333.20     |
| AE-NT (Tack Oil)        | --                             | --             | \$528.00     | --                                 | --             | \$371.28     | --                                   | --             | \$371.28     |
| AE-90S (Chip & Seal)    | 498.53                         | 498.53         | --           | --                                 | --             | --           | \$547.40                             | \$547.40       | --           |
| AE-F (Fog Seal)         | \$360.00                       | \$360.00       | --           | --                                 | --             | --           | \$273.70                             | \$273.70       | --           |

Commissioner Kleinhenz motioned to take the bids under advisement. Commissioner Lienhoop seconded the motion that passed unanimously.

Next was the consideration of a request from **DLZ Indiana to increase their professional services fee** by \$105,000 for the new County Highway Garage Project. Their original fee of \$315,000 (7% of project cost) was based on the estimated hard construction cost of \$4,500,000 for the new facility. The estimate has been refigured for a larger building site, larger site plan, additional surveying, larger building, etc. The estimated hard construction cost is now at \$6,000,000 and a resulting increase of \$105,000 (also at 7%) is being requested. While the commissioners agreed to an increase for the extra work, they thought a fair price would be \$69,995

(2/3 of \$105,000). Commissioner Lienhoop motioned to counter offer two-thirds of DLZ's quote. Commissioner Kleinhenz seconded the motion that passed unanimously.

County resident **Kelly Blazier** returned with a follow up to her presentation during last week's meeting, 4/8/19. James [inaudible] and former Animal Control Officer Trudy Smith accompanied Blazier. She focused on five actions the county might consider to address future animal abuse cases.

1. Creation of a Bartholomew County Animal Control Commission;
2. Creation of Standard Operating Procedures for the department;
3. Creation of an ordinance allowing AC officers access onto residential property, while withholding any authority to enter or touch homes, outbuildings, fences, gates, doors, etc.;
4. Creation of an ordinance prohibiting the construction and/or operation of breeding facilities within the county;
5. Creation of an ordinance allowing those who have been checked/approved to temporarily foster dogs when they would otherwise be kenneled at the Bartholomew County Humane Society.

Attorney Grant Tucker stated the county previously had a commission that was disbanded since it created more legal layers that complicated and bogged down animal control case management. Blazier said much time has passed since having that commission and it might be a good time for another look into this subject.

It was Blazier's understanding from the Animal Control Officer Mark Case that there are no specific standard operating procedures. The commissioners maintained that Animal Control operates according to generally-accepted, if not standard, procedures, and most likely they are in writing. Commissioners spoke with Case and suggested he might take a more aggressive approach in the future if accompanied by a deputy sheriff, but to proceed in that direction with caution. There was considerable discussion about having authority to act and enforce predictable consequences for lack of compliance, and the liability/discretionary measures when accessing personal property.

Commissioners directed Blazier to the Planning Department to answer questions regarding breeding facilities. It would be part of the county's Comprehensive Plan overseen by the Plan Commission and/or Board of Zoning Appeals.

Commissioners liked the idea of developing a plan for fostering animals by the community. Trudy Smith said the Humane Society already had some means in place within the community for fostering animals. Blazier wanted to learn more about that and possibly see where it might be expanded.

The commissioners needed to attend another meeting. Blazier asked to come back to discuss more. Commissioners agreed, but asked her to schedule a couple weeks out as Commissioner Kleinhenz will be out of town and to give them time to do some preparation, as well.

The next Commissioners' Meeting will be held on Monday, April 22, 2019, at 10:00 a.m. in the Commissioners' Chambers. There being no other business, the meeting was adjourned.

BARTHOLOMEW COUNTY  
BOARD OF COMMISSIONERS

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RICHARD A. FLOHR, CHAIRMAN

ATTEST:

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LARRY S. KLEINHENZ, MEMBER

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PIA O'CONNOR

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CARL H. LIENHOOP, MEMBER