

COMMISSIONER'S MEETING
September 24, 2012

The Bartholomew County Commissioners met in regular session on September 24, 2012 in the Governmental Office Building, 440 Third Street, Columbus, Indiana. Chairman Larry Kleinhenz called the meeting to order at 10:00 a.m. Commissioner Paul Franke and County Attorney J. Grant Tucker were also in attendance. Chairman Kleinhenz gave the invocation and led the Pledge of Allegiance. Commissioner Lienhoop and County Auditor Barbara Hackman were unable to attend.

Next, Commissioner Franke made a motion to approve the September 17, 2012 minutes. Chairman Kleinhenz seconded the motion that passed unanimously.

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

Next, Chairman Kleinhenz read the New Permits Report from 9/17/2012 to 9/21/2012. Forty-one (41) building permits were issued with a fee amount of \$5,320.00 and a valuation amount of \$3,326,434.

County Highway Assistant Superintendent Jeff Whittington stated that Engineer Hollander has reviewed the bids for Bridge No. 211 and requested that the Commissioners approve them. Commissioner Franke made a motion to accept the low bid from Force Construction in the amount of \$444,800.09. Chairman Kleinhenz seconded the motion that passed unanimously.

The following bid was opened for one (1) service truck. This is to replace a 2001 truck that was totaled.

Fletcher-Chrysler Products – Dodge Ram 3500 - \$60,761.00

Chairman Kleinhenz made a motion to take the bid under advisement and asked Mr. Whittington if that was fine to do that. When Mr. Whittington stated that they were down to one truck and would like to get this as quickly as possible, Chairman Kleinhenz revised his motion to say accept the bid subject to meeting specifications. Commissioner Franke seconded the motion that passed unanimously. Bids were solicited to several vendors, but only one responded.

Mr. Whittington gave the weekly crew report. Last week, they mowed in Clay, Columbus, Ohio and Harrison Townships, placed stone along new blacktopped roads, patched roads, put up signs, fixed cement on bridge on 600 N., put in driveway pipes on 700 W., 400 W., 300 S. and on Coffey Drive. They picked up trash and tires, placed seed and straw along 450 E. and cleaned up trees along 275 N. and on 225 W.

Chairman Kleinhenz informed Mr. Whittington that chipping and sealing 300 N. has caused some aggravation and there is a county portion that is overgrown with weeds. Mr. Whittington said that he would look into this. Chairman Kleinhenz asked Mr. Whittington to contact Dave Hayward, City Engineer to coordinate efforts.

Commissioner Franke asked Mr. Whittington why 600 S. was closed between 300 W. and 400 W. Mr. Whittington said that he thought they were ditching. Commissioner Franke also asked Mr. Whittington if the concrete box bridge on 300 S. behind Ceraland

was open yet. Mr. Whittington said that it was not and that the Highway Department is going to concrete pave the top of it in-house.

Mr. Whittington requested that the Commissioners release Driveway Bond 12B-07, posted by Kevin Bozell. Chairman Kleinhenz made a motion to release Driveway Bond 12B-07. Commissioner Franke seconded the motion that passed unanimously.

Associate Planner Rae-Leigh Stark presented the following minor subdivision for dedication of right-of-way:

MI/P-12-04: L&D Coy Minor Subdivision – located in Hawcreek Township – on the corner of State Road 9 and County Road 450 N. They created a new 1.3 acre lot and they had a parent tract remainder of 8.22 acres. They went to Plan Commission for a modification from the Subdivision Control Ordinance for right-of-way dedication along State Road 9. They were required to dedicate 50 feet of right-of-way on State Road 9. They are dedicating in some parts 50 feet and in some parts a minimum of 40 feet because of the existing house located on that lot. They are dedicating a total of .48 acres of right-of-way.

Ms. Stark explained that this subdivision was recorded, but did not come before the Commissioners for a right-of-way dedication, so the surveyor provided a sheet for the Commissioners to sign and then a note will be placed on the plat to show that the right-of-way was accepted. Chairman Kleinhenz made a motion to accept the dedication of right-of-way for the L&D Coy Minor Subdivision. Commissioner Franke seconded the motion, but explained that he voted against this at the Plan Commission meeting because he does not feel this is the County's responsibility to collect right-of-way for the State Highway. He agrees with the County's portion on 450 N., but disagrees with the State portion of it. The Commissioners then voted and the vote was unanimous.

County Attorney J. Grant Tucker read the following bids for Bridge No. 206:

<i>Duncan Robertson, Inc.</i>	<i>\$325,225.00</i>
<i>H.E. Henderson, Inc.</i>	<i>\$311,872.84</i>
<i>Milestone Contractors, Inc.</i>	<i>\$384,110.40</i>
<i>Engelau Excavating, LLC</i>	<i>\$389,761.92</i>
<i>Dave O'Mara Contractors, Inc.</i>	<i>\$296,227.05</i>
<i>Force Construction Co., Inc.</i>	<i>\$324,000.00</i>
<i>R.L. Vuckson Excavating, Inc.</i>	<i>\$371,532.70</i>
<i>Engineer's Estimate</i>	<i>\$350,000.00</i>

Chairman Kleinhenz made a motion to take the bids under advisement.

Commissioner Franke seconded the motion that passed unanimously.

Chairman Kleinhenz read the following Notice of Public Auction of Surplus Property that was approved by Commissioner Franke and seconded by Chairman Kleinhenz. The vote was unanimous. Taxpayer Mike Lovelace asked what percentage the auctioneer is paid and the Commissioners told him that it was 10% for miscellaneous items and 5% on automobiles.

Notice of Public Auction of Surplus Property

NOTICE IS HEREBY GIVEN THAT THE BARTHOLOMEW COUNTY COMMISSIONERS WILL SELL AT PUBLIC AUCTION, TO THE HIGHEST BIDDER, CERTAIN ITEMS OF PERSONAL PROPERTY WHICH HAVE BEEN DETERMINED BY THE COMMISSIONERS TO BE SURPLUS PROPERTY. THE PROPERTY TO BE SOLD INCLUDES, BUT IS NOT LIMITED TO: VEHICLES, MISCELLANEOUS OFFICE EQUIPMENT AND OTHER ITEMS TOO NUMEROUS TO MENTION.

THE SALE WILL BE HELD ON OCTOBER 20, 2012 AT 10:00 A.M., LOCATED AT THE COUNTY HIGHWAY GARAGE, 2452 STATE STREET, COLUMBUS, INDIANA.

The next item on the agenda was the consideration of the following 2012 Voting Precincts. Commissioner Franke read the precincts that were different from last year. The changes were: 1600 – The Villas Apartments (previously at Home Federal), 4600, 4800 & 4900 – The Hope Moravian Church (previously at the Community Center in Hope).

NOTICE OF PRECINCT VOTING PLACES

The Bartholomew County Board of Commissioners hereby designates the following Precinct Voting Places for the upcoming County Election to be held on Tuesday, November 6, 2012 beginning at 6:00 a.m. and ending at 6:00 p.m.

<u>PRECINCT</u>	<u>VOTING PLACE WITH ADDRESS</u>
0100	City Hall, 123 Washington St.
0200	Fire Station #5, Goeller Blvd.
0225	4-H Fairgrounds Family Arts Bldg., 750 W 200 S
0250	Eastlake Woods Apts. Clubhouse, 1020 Thicket Ct.
0300	Government Office Building, 440 3 rd . St.
0400	Donner Center, 22 nd and Sycamore St.
0500	Donner Center, 22 nd and Sycamore St.
0600	St. Paul's Episcopal Church, 2651 California St.
0700	St. Paul's Episcopal Church, 2651 California St.
0800	St. Paul's Episcopal Church, 2651 California St.
0900	Hamilton Center, 2501 Lincoln Park Drive
1000	Sandy Hook United Methodist Church, 1610 Taylor Rd.
1100	Richards Elementary School, 3311 Fairlawn Dr.
1200	Flintwood Wesleyan Church, 5300 25 th St.
1300	Richards Elementary School, 3311 Fairlawn Dr.
1400	Smith Elementary School, 4505 Waycross Dr.
1500	The Villas Apts. 4101 Waycross Dr.
1600	The Villas Apts., 4101 Waycross Dr.
1700	Donner Center, 22 nd and Sycamore St.
1800	Hamilton Center, 2501 Lincoln Park Drive
1900	Developmental Services Inc., 2920 10th St.
2000	Eastside Community Center, 421 McClure Rd.
2100	McDowell Adult Education Center, 2700 McKinley Ave.
2200	Fodrea Elementary School, 2775 Illinois St.
2300	East Columbus Vol. Fire Dept, 935 Repp Dr.
2400	East Columbus Vol. Fire Dept, 935 Repp Dr.

2500	Grace Lutheran Church, 3201 Central Ave.
2600	Parkside Elementary School Gym, 1400 Parkside
2700	Parkside Baptist Church, 1780 Rocky Ford Rd.
2800	Community Church, 3850 N Marr Rd.
2850	Community Church, 3850 N Marr Rd.
2900	St. John's Masonic Temple, 4131 Rocky Ford Rd.
3000	4-H Fairgrounds Family Arts Bldg., 750 W 200 S
3100	Dunlap's, County Road 100 S. & US 31
3200	Flintwood Wesleyan Church, 5300 25 th St.
3300	Parkside Elementary School Gym, 1400 Parkside
3350	Parkside Elementary School Gym, 1400 Parkside
3400	Bethel Holiness School, 6060 N. US 31
3500	Clay Township Fire Department, 9922 E 25 th St.
3550	Flintwood Wesleyan Church, 5300 25 th St.
3600	Clay Township Fire Station, Jewell Village.
3700	Newbern United Methodist Church, Newbern
3800	Clifford Fire Station, 7850 N. Depot St., Clifford
3900	Parks & Recreation Bldg., 722 S. Eisenhower Dr., Edinburgh
4000	Parks & Recreation Bldg., 722 S. Eisenhower Dr., Edinburgh
4100	Old Union Church, 12703 N. 50 W.
4200	German Township Fire Station, Taylorsville
4300	German Township Fire Station, Taylorsville
4350	German Township Fire Station, Taylorsville
4400	Harrison Township Fire Station, Old State Road 46
4450	Harrison Township Fire Station, Old State Road 46
4500	New Zion Church, 4391 S 550 W Rd.
4550	New Zion Church, 4391 S 550 W Rd.
4600	Hope Moravian Church, 202 Main St., Hope
4700	Hartsville Fire Station, 150 N. Jackson St., Hartsville
4800	Hope Moravian Church, 202 Main St., Hope
4900	Hope Moravian Church, 202 Main St., Hope
5000	Mt. Healthy Elementary School, State Road 58
5100	Southwest Volunteer Fire Station, Ogilville
5200	Rockcreek Elementary School, 13000 E 200 S
5300	Elizabethtown Fire Station, Elizabethtown
5400	Elizabethtown Fire Station, Elizabethtown
5500	4-H Fairgrounds Family Arts Bldg., 750 W 200 S
5600	Jonesville Fire Station, 849 E 450 S
5700	Whitcreek Lutheran School, 16270 S 300 W
5800	4-H Fairgrounds Family Arts Bldg., 750 W 200 S

Commissioner Franke made a motion to approve the 2012 Voting Precincts.

Chairman Kleinhenz seconded the motion that passed unanimously.

Rob Gaskill, Director of Residential Services, was present for the consideration of an agreement with Government Payment Service, Inc. Mr. Gaskill explained that this will allow them to accept credit card payments for Community Corrections fees in an effort to make sure they are collecting the money that they need to be collecting so they are not asking the County for funds. It will also allow participants of the programs who obtain funds directly on debit cards quicker access for payments. He also stated that the Sheriff is using this service for their bonds and has no complaints with this company. There is no fee to the County for this agreement. Commissioner Franke made a motion to sign the agreement with Government Payment Service, Inc. Chairman Kleinhenz seconded the motion that passed unanimously.

The next item on the agenda was the consideration of **An Ordinance Amending Ordinance No. 1987-5 An Ordinance Creating a Commission to Promote the Development and Growth of the Convention, Recreation and Visitor Industry in Bartholomew County, Indiana.** Attorney Tucker explained that back in 1986, the Council imposed the Innkeeper's Tax and in conjunction with that, created the Visitor Information & Promotion Commission. The Legislation that set out how the board was to be comprised has changed. The board has always had 6 members appointed by the County Commissioners and 5 members appointed by the Mayor. With this amendment, based on population, the Mayor will have 6 appointments and the Commissioners will have 5 appointments. The other change is that some of the members have to be employed in the tourism industry and some in the hotel business. Chairman Kleinhenz

opened the Public Hearing. Taxpayer Mike Lovelace questioned if the board was going from 20 board members to 11 board members. Attorney Tucker said that there has always been 11 board members, but the board had, at some time, merged with the Visitor's Center Board. The board is now separated from the Visitor's Center Board. Mr. Lovelace also asked if this board controls the funds. Attorney Tucker said that they do. Someone else from the audience asked how long the appointments were and Chairman Kleinhenz stated that they are two-year appointments. Hearing no other comments, Chairman Kleinhenz closed the Public Hearing. Commissioner Franke made a motion to approve the following ordinance, on first reading. Chairman Kleinhenz seconded the motion that passed unanimously. Once passed on second reading, this ordinance will take effect on January 1, 2013.

**AN ORDINANCE AMENDING ORDINANCE NO. 1987-5
AN ORDINANCE CREATING A COMMISSION TO PROMOTE THE
DEVELOPMENT AND GROWTH OF THE CONVENTION,
RECREATION AND VISITOR INDUSTRY IN BARTHOLOMEW COUNTY,
INDIANA**

WHEREAS, The Board of Commissioners of Bartholomew County, Indiana ("Commissioners") did, by means of Ordinance No. 1987-5, create the Bartholomew County Convention, Recreation and Visitor Promotion Commission which said commission has also become known as the Visitor Information and Promotion Commission ("VIP"); and

WHEREAS, The membership makeup of the aforementioned commission was prescribed by Indiana State Law, specifically I.C. 6-9-18-5; and

WHEREAS, I.C. 6-9-18-5 has been amended since Ordinance No. 1987-5 was enacted which created the original commission and prescribed the number, qualifications and appointing authority of its members; and

WHEREAS, In order to comply with I.C. 6-9-18-5, it is necessary to amend Ordinance No. 1987-5 as it relates to the makeup and appointing authority of the members of said Commission.

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

SECTION 1. Section II of Ordinance No. 1987-5 is HEREBY AMENDED, REVISED AND CHANGED TO READ AS FOLLOWS:

SECTION II. MEMBERSHIP

- A. The Bartholomew County Convention, Recreation and Visitor Promotion Commission shall consist of eleven (11) members.
- B. The Board of Commissioners of Bartholomew County shall appoint Five (5) members to such Commission and the Mayor of the City of Columbus shall appoint six (6) members to such Commission.

SECTION 2. Section III of Ordinance 1987 is HEREBY AMENDED, REVISED AND CHANGED TO READ AS FOLLOWS:

SECTION III. QUALIFICATION MEMBERS

A simple majority of the members of the Bartholomew County Convention, Recreation and Visitor Promotion Commission must be engaged in a convention, visitor or tourism business or involved in promotion conventions, visitors, or tourism. If available and willing to serve, at least two (2) of the members must be engaged in the business of renting or furnishing rooms or accommodations. Not more than one (1) of the members may be affiliated with the same business entity. Not more than a simple majority of the members may be affiliated with the same political party. Each member must reside in Bartholomew County.

SECTION 3. All sections and provisions of Ordinance No. 1987-5 not affected by these Amendments shall remain unchanged and in full force and effect.

SECTION 4. This Ordinance amending Ordinance No. 1987-5 shall become effective January 1, 2013.

PASSED ON FIRST READING THIS 24TH DAY OF SEPTEMBER 2012.

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

S/s Larry S. Kleinhenz
Larry S. Kleinhenz, Chairman

S/s Paul Franke
Paul Franke, Member

Carl H. Lienhoop, Member

ATTEST:

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

Commissioner Franke read the Animal Control Monthly Report for the month of August 2012. Seventy-six animals were picked up, 5 violations, 1 bite case, 4 animals reclaimed and 4,724 miles logged. Commissioner Franke made a motion to accept the Animal Control Monthly Report for the month of August 2012. Chairman Kleinhenz seconded the motion that passed unanimously.

Chairman Kleinhenz presented the Clerk's Report for the month of August 2012. Chairman Kleinhenz made a motion to accept the Clerk's Report for the month of August 2012. Commissioner Franke seconded the motion that passed unanimously.

Under miscellaneous, was the consideration of an agreement with Everbridge for an emergency notification system for severe weather, waterline breaks, etc. This agreement is in conjunction with an Interlocal Agreement with the City of Columbus and Bartholomew County signed August 13, 2012. Chairman Kleinhenz made a motion to

accept the Agreement with Everbridge for the emergency notification system in the amount of \$20,650. Commissioner Franke seconded the motion that passed unanimously.

There being no other business, the meeting was adjourned by Chairman Kleinhenz at 10:50 a.m. The next Commissioners' meeting will be on Monday, October 1, 2012 at 10:00 a.m. in the Commissioners' Chambers.

BARTHOLOMEW COUNTY
COMMISSIONERS

LARRY S. KLEINHENZ, CHAIRMAN

PAUL FRANKE, MEMBER

CARL H. LIENHOOP, MEMBER

ATTEST:

BARBARA J. HACKMAN, AUDITOR