

COMMISSIONER'S MEETING
August 20, 2012

The Bartholomew County Commissioners met in regular session on August 20, 2012 in the Governmental Office Building, 440 Third Street, Columbus, Indiana. Chairman Larry Kleinhenz called the meeting to order at 5:30 p.m. Commissioners Carl Lienhoop and Paul Franke, County Attorney J. Grant Tucker was also in attendance. Commissioner Lienhoop gave the invocation and led the Pledge of Allegiance.

Next, Commissioner Lienhoop made a motion to approve the August 13, 2012 minutes. Commissioner Franke seconded the motion that passed unanimously.

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

Next, Chairman Kleinhenz read the New Permits Report from 8/13/2012 to 8/17/2012. Thirty-two (32) building permits were issued with a fee amount of \$2,728.00 and a valuation amount of \$670,083.

Chairman Kleinhenz read the following letter from the Bartholomew County Fire Chief's Association:

Recently, fairly consistent weekly rainfall, while not alleviating the drought conditions in Bartholomew County, has allowed some greening of the vegetation to the extent that the Bartholomew County Fire Chief's Association has voted on Friday, August 17, 2012 to temporarily lift the Burn Ban that has been in effect for the greater part of the summer.

This lifting of the Ban is now temporary and may be reinstituted should rainfall decrease again, controlled burns increasingly fail to be held under control by the public, or harvest institutes a substantial increase in wildfire danger.

With the lifting of the Burn Ban, we heartily encourage citizens to use common sense and caution whenever having an outside burn. Precautions that should be taken include:

Do not leave any fire unattended.

Do not burn in windy conditions

Have a water source handy to contain the fire.

Have a substantial clear area around the fire container, fire pit or burn pile.

Only natural vegetation may be burned, with no petroleum based products, tires, etc. (per Indiana Code).

Burn only during daylight hours (per Indiana Code).

Should the wildfire danger increase again, the Burn Ban may be reinstituted. Thank you for your support.

**Be safe out there,
Ed Johnson
President, BCFCFA**

Commissioner Franke made a motion to ratify the decision of the Bartholomew County Fire Chiefs Association to lift the burn ban. Commissioner Lienhoop seconded the motion that passed unanimously.

County Highway Engineer Danny Hollander gave the weekly crew report. Last week, they mowed in Hawcreek, German and Wayne Townships, ditched on 450 E. and Royal View, patched roads, worked on signs, put a box culvert in by Ceraland on 300 S. and milled roads for the overlay.

Chairman Kleinhenz announced that the reason that the meeting is tonight is that several months ago, the Commissioners received a letter from the Federal Government

concerning ADA compliance and the Commissioners feel it is time that they aggressively review the ADA compliance status and have asked Greg Fehribach, an attorney who specializes in the area of ADA to help.

Mr. Fehribach explained that one of the best ways to determine how much accessibility or what matters to the citizens is to ask. The ADA code suggests that one of the best things a community can do is to reach out to their citizens and ask what they can do to help the citizens to get around. He then invited the public to speak:

Taxpayer Mike Lovelace stated that his wife attends functions at the County Annex Building and he feels that this building needs to be replaced since the lift can only be used with electricity. Mr. Fehribach stated that in addition to a new Annex Building, emergency preparedness needs to be addressed.

Citizen and Commissioner Candidate Tony London asked what the requirements were of a government building verses a private building. Mr. Fehribach said that it depends on what the program is inside the building. When disabled citizens cannot do everything that other citizens can do due to the building not being ADA compliant, that is when the questions begin to arise.

Mark Webber, with the Republic, asked what caused the renewed urgency to address this matter. Mr. Fehribach stated that Bartholomew County has always been more aggressive when it comes to compliance. Chairman Kleinhenz stated that he was not sure, but knowing how things work in Washington, it was probably a lobby group that was able to get the question attached to send out to states regarding how they were

on ADA compliance, but Mr. Fehribach feels that it was a change of someone at the Federal Highway.

Citizen Mary Garten was present with concerns with the City such as handicapped parking spaces, doors on buildings that are hard to open for citizens with a cane and stores that do not have enough electrical shopping carts, etc. Mr. Fehribach explained to her that the County Commissioners did not have responsibility over the City, but the hardware and electronic doors are some things to put on their list to address. He also told her that parking was the first concern when it comes to a building, then getting in the door, greeting the receptionist, attending the public meetings, using the restroom and getting water. These topics will all be addressed when assessing the County buildings.

Chairman Kleinhenz explained that the only time you can force a business to be ADA compliant, is when they do a remodel or upgrade even re-stripping a parking lot. He said that Jeff Aplanap, an ADA Compliance Specialist, who works for Code Enforcement, gets involved with these processes on the ADA requirements. He further explained that when someone renovates a building, it is very important to make sure that it is ADA compliant.

Mr. Fehribach stated that in Indiana, we do not have local enforcement authority to make a grocery store have more than one electrical shopping cart or any other compliance issue. There are other states that do, but Indiana does not. He further explained that what we can do is make people aware of what can be done.

Ms. Garten said that public citizens do not know who to contact and suggested that the newspaper could publish contact information. She also asked what kind of meeting the City would have to address these same issues only with the City. Mr. Fehribach told her that they could hold a public City Council meeting or the Mayor or Town Manager could call a similar meeting that the Commissioners are having tonight.

Mr. Webber asked if it were possible to work with the Columbus Area Chamber of Commerce to approach the businesses to let them know how important ADA Compliance is. Mr. Fehribach said that was a great idea and any ability to share information as well as assets and enthusiasm would be helpful.

Mr. Fehribach asked if there were any more questions or comments from the public and thanked everyone for coming and said that he would be back later in another public meeting and hopefully, some of the other brother and sister organizations will be a part of the process as well.

Chairman Kleinhenz recognized Tony London, who is running for County Commissioner.

There being no other business, the meeting was adjourned by Chairman Kleinhenz at 6:14 p.m. The next Commissioners' meeting will be on Monday, August 27th, 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