

## **COMMISSIONERS' MEETING**

**August 10, 2015**

The Bartholomew County Commissioners met in regular session on August 10, 2015 in the Governmental Office Building, 440 Third Street, Columbus, Indiana. Commissioners Larry Kleinhenz, Carl Lienhoop and Rick Flohr were present. County Attorney J. Grant Tucker and County Auditor Barbara Hackman were also in attendance.

Chairman Larry Kleinhenz called the meeting to order and E911 Director Ed Reuter gave the Invocation and led the Pledge of Allegiance.

The first item on the agenda was the approval of the August 3, 2015 Commissioners' Meeting Minutes. Commissioner Lienhoop made a motion to approve the minutes. Commissioner Flohr seconded the motion that passed unanimously.

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

The next item was weekly reports. Chairman Kleinhenz read the New Permit Report dated 8/3/15 to 8/7/15. Thirty (30) permits had been issued with fees collected of \$4,510 and an estimated construction cost of \$1,963,220.

County Engineer Danny Hollander gave the County Highway Weekly Crew Report which included the following work: did chip and seal in Flatrock and Hawcreek Townships; bermed roads for Phase 2 Overlay Program; mowed in Clay, Wayne and Clifty Townships; patched roads; and did milling on Bellsville Road. Mr. Hollander also submitted the Highway Monthly Crew Report for July, 2015.

Mr. Hollander presented a letter for County Surveyor E.R. Gray requesting assistance with right-of-way descriptions for Bridge #58 on 1020E just north of 800N. Chairman Kleinhenz motioned to approve the request. Commissioner Lienhoop seconded the motion that passed unanimously.

The next consideration was for an \$8,000 contract with Strand Associates, Inc. to do a feasibility study on Bridge #47, Opossum Glory, in preparation for its

replacement/repair. Commissioner Lienhoop motioned to enter into the agreement with Strand. Commissioner Flohr seconded the motion that passed unanimously.

Mr. Hollander then presented for ratification a bill from Platinum Services. The bill totaling \$6,545 was for the assemblage of an ALBC structure on the 350W Project which presented problematic conditions requiring additional attention. Commissioner Flohr made a motion to ratify the expenditure to Platinum Services. Commissioner Lienhoop seconded the motion that passed unanimously.

Mr. Hollander brought to the attention of the Commissioners that a duplicate LPA signage project grant with INDOT (EDS# A249-14-320370) had been signed and submitted at INDOT's request. The original and duplicate grants were signed on 11/3/14 and 6/22/15, respectively. Commissioner Lienhoop motioned that it be reflected in the minutes that the County has only one LPA signage grant with INDOT. Chairman Kleinhenz seconded the motion that passed unanimously.

For the next County Highway item of business, County Attorney Grant Tucker opened and read the two (2) bids submitted for the County Highway's 2015 Overlay Program Phase 2. Milestone Contractors, LP (Columbus) bid \$310,080.50 and Dave O'Mara Contractor, Inc. (North Vernon) bid \$324,933.08. Itemization of bids is as follows:

## Milestone Contractors, L.P.

## 2015 Road Overlay Program - Phase 2

Township	Priority	Item	Road	From	To	Length	Width	#/SYD	Bituminous Tons	Estimate Unit Price	Total
Clifty	2	1	75 S	900 E	1000 E	1.0	18	220	1,162	\$ 51.50	\$ 59,843.00
Columbus	5	2	400 W	Lowell Rd	450 N	1.04	18	220	1,208	\$ 49.00	\$ 59,192.00
Flatrock	4	3	475 E	450 N	500 N	0.5	18	220	581	\$ 56.00	\$ 32,536.00
Sandcreek	3	4	500 S	US 31	300 E	1.01	18	220	1,173	\$ 51.50	\$ 60,409.50
Wayne	1	5	350 W	700 S	850 S	1.55	18	220	1,800	\$ 54.50	\$ 98,100.00

220 = 9 Surface

\$310,080.50

165 = 11 Surface

5.10

## Dave O'Mara Contractor, Inc.

## 2015 Road Overlay Program - Phase 2

Township	Priority	Item	Road	From	To	Length	Width	#/SYD	Bituminous Tons	Estimate Unit Price	Total
Clifty	2	1	75 S	900 E	1000 E	1.0	18	220	1,162	\$ 53.97	\$ 62,713.14
Columbus	5	2	400 W	Lowell Rd	450 N	1.04	18	220	1,208	\$ 53.97	\$ 65,195.76
Flatrock	4	3	475 E	450 N	500 N	0.5	18	220	581	\$ 54.23	\$ 31,507.63
Sandcreek	3	4	500 S	US 31	300 E	1.01	18	220	1,174	\$ 52.73	\$ 61,905.02
Wayne	1	5	350 W	700 S	850 S	1.55	18	220	1,801	\$ 57.53	\$103,611.53

220 = 9 Surface

\$324,933.08

165 = 11 Surface

5.10

Chairman Kleinhenz made a motion to take the two bids for the 2015 Overlay Program Phase 2 under advisement. Commissioner Lienhoop seconded the motion that passed unanimously.

Charlie Day of DLZ Indiana, LLC, presented for consideration a professional services agreement to develop a master plan for the County's Highway Garage Maintenance Facility located at 2452 State Street, Columbus. Cost of services is to be \$15,000. The study would be completed in approximately 120 days. Commissioner Flohr motioned to enter into the agreement with DLZ. Commissioner Lienhoop seconded the motion that passed unanimously.

Next, the Planning Department's Senior Planner Allie Keen presented an ordinance, for first reading, vacating the public right-of-way to be known as the Lake Shore Drive North Vacation, No. B/VAC-15-01. (*See attached*) Chairman Kleinhenz opened the meeting to the public. Hearing no public comments, the meeting was closed. Commissioner Lienhoop motioned to approve the Lake Shore Drive North Vacation, No. B/VAC-15-01 on first reading. Commissioner Flohr seconded the motion that passed unanimously.

Kim Martoccia and Captain Dave Steinkoenig from the Sheriff's Department presented a quote from Keefe Commissary Network to interface the commissary kiosk with OSSI to reduce data entry and increase data integrity. Ms. Martoccia stated the service would be at no cost to the County. Commissioners questioned the quoted fees of \$6,400 (extended fees) and \$800 (annual maintenance). After calling Jail Commander Gary Myers, Ms. Martoccia confirmed that Keefe would be paying the quoted fees and that; again, there would be no cost to the County. Commissioner Lienhoop motioned to approve the agreement with OSSI for an interface provided by Keefe Commissary. Chairman Kleinhenz seconded the motion that passed unanimously.

Next was the consideration of ratification of an expenditure incurred by the County Jail for a failed compressor. Circle R Mechanical billed \$10,670 for repairs to the compressor. Maintenance Supervisor Rick Trimpe said that insurance covered all but \$2,500 to be paid through the commissioners' budget. Commissioner Flohr motioned to ratify the expenditure to Circle R Mechanical. Commissioner Lienhoop seconded the motion that passed unanimously.

The Commissioners then considered ratification of an auction contract for the internet sale of a vehicle. Mensendieck's Auction Service sold a Sheriff's Department 2008 Ford Expedition having overlooked getting a signed auction contract with the County. The winning bid was for \$6,700, minus a 7% commission and \$125 online fee leaving net proceeds due to the County of \$6,106. Commissioner Flohr motioned to sign

the auction contract. Commissioner Lienhoop seconded the motion that passed unanimously.

Chairman Kleinhenz acknowledged the receipt of the County Clerk's Monthly Report for the month of June, 2015 and made a motion to approve it for submission to the SBOA. Commissioner Flohr seconded the motion which passed unanimously.

Veteran's Services Officer Tom Crawford read the Veteran's Services Report for the month of July, 2015. The Veteran's Office processed 22 new applicants; conducted 122 scheduled/walk-in/outside interviews; made 329 contacts by phone/mail; made 18 trips to the VA Hospital; and traveled 1,785 miles. Additional activities included: a radio interview with John Foster; Hilycord Awards Ceremony; speaking with Bob Miller about the POW/MIA Ceremony; and speaking at the High 12 meeting. VSO Crawford announced that the Department of Veterans Affairs will be holding a 7-county outreach program on September 10, 2015, 10:00 a.m. - 2:00 p.m., at Ivy Tech, 4475 Central Ave., Columbus, for the following counties: Bartholomew, Brown, Decatur, Jackson, Jennings, Johnson and Shelby. Chairman Kleinhenz motioned to accept the Monthly Veteran's Report for July, 2015. Commissioner Lienhoop seconded the motion which passed unanimously.

Under miscellaneous agenda item, County Attorney Grant Tucker explained that since asphalt prices are historically low and EDIT funds earmarked for the Annex Project completion will likely not be fully used in 2015, the Commissioners would like to take \$350,000 of the original \$750,000 allotted to the Annex Project in Resolution 2015-03 Adopting a Capital Improvement Plan for Utilization of Economic Development Income Tax Funds, and use that money toward road overlay. Commissioner Lienhoop motioned to approve an amended EDIT plan by signing the Resolution Adopting an Amended Capital Improvement Plan for Utilization of Economic Development Income Tax Funds. (*See attached*) Commissioner Flohr seconded the motion that passed unanimously.

Next, Commissioner Flohr acknowledged the receipt of the County Treasurer's Monthly Report for the month of July, 2015 and motioned to approve it for submission to the SBOA. Commissioner Lienhoop seconded the motion which passed unanimously.

For the next item, Maintenance Supervisor Rick Trimpe presented three quotes for a new backup generator for the Health Department at Foxpointe Drive.

Power Equipment Direct	\$3,527
Home Depot	\$3,599
Lowes	\$3,599

Commissioner Flohr motioned to accept the low bid from PED for \$3,527. Commissioner Lienhoop seconded the motion that passed unanimously.

Bartholomew County resident John O'Halloren, 4020 N. Riverside Drive, Columbus, expressed disappointment with the biased, pro-CAFO, big-money meat production presentation and handling of information being evaluated by the CAFO Regulation Study Committee with less consideration being given to issues of the County's 80,000 residents. Public health information and concerns have not been given equal time and attention by the Committee. For example, the chemical concentrations of hydrogen sulfide and ammonium in manure piles and by-products have been responsible for periodical deaths, most recently in Wisconsin and Iowa. He asked that a look be taken at how the Committee is being run, and ensure a balanced set of views are being brought to the Committee, and a process to take the entire spectrum [of views/data] into account.

Commissioner Lienhoop excused himself to attend another commitment.

Bartholomew County resident Kate O'Halloren, 4020 N. Riverside Drive, Columbus, while attending the CAFO Regulation Study Committee meetings has had issues with things being said at the meetings that are dismissive of community members. She finds some offense "with CAFOs being sited in the community without an understanding that somebody besides the affected ones is deciding what the affected ones can tolerate" - in effect, invading your personal space with their agenda. "So when statements are made that 8 hours a week is doable for odor to be in your home, I would

ask how many minutes are you willing to tolerate having someone being in your space. Will we make an exception because someone has more money or a bigger voice or more political clout? We make an exception for those people to take away property rights, or value, or piece of mind, or their health - and that's what I see happening. There is language that chips away the well-being of our community and I find this incredibly painful. To sit through the meetings has been very painful, to hear what's being said, the dismissiveness." Although she doesn't condone the outburst witnessed at a recent CAFO meeting, she entirely understands the frustration that led to the event. Ms. O'Halloren stated the frustration (it's a powder keg) has been exhibited at other meetings and by other people and is not limited to the one individual reported in the paper. She wants decisions to be made on a science-based review, rather than an opinion-based, or desire-based. Decisions made on anything but a science-based point of view will yield a public opinion that "this was done to them - and *there* is the degradation of community in the place we call home."

The next Commissioners' Meeting will be held on Monday, August 17, 2015 at 10:00 a.m. in the Commissioners' Chambers. There being no other business the meeting was adjourned at 10:50 a.m.

BARTHOLOMEW COUNTY  
COMMISSIONERS

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LARRY S. KLEINHENZ, CHAIRMAN

ATTEST:

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CARL H. LIENHOOP, MEMBER

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BARBARA J. HACKMAN

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RICHARD A. FLOHR, MEMBER

ORDINANCE NO.: \_\_\_\_\_, 2015

**AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY**

**To be known as the: Lake Shore Drive North Vacation  
Plan Commission Case No.: B/VAC-15-01**

**WHEREAS**, the Board of Commissioners of Bartholomew County, Indiana, has received a petition to vacate existing right-of-way in Rock Creek Township, Bartholomew County, Indiana pursuant to IC 36-7-3-12, and;

**WHEREAS**, the Board of Commissioners held a legally advertised public hearing on the proposed vacation petition, as required by IC 36-7-3-12, and have found that the requested vacation should be granted.

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

**SECTION 1: Right-of-way Vacated**

The following described right-of-way shall be vacated:

*A PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 10 NORTH, RANGE 7 EAST, BARTHOLOMEW COUNTY, INDIANA, BEING MORE COMPLETELY DESCRIBED AS FOLLOWS:*

*COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE SOUTH LINE OF SAID QUARTER, NORTH 89 DEGREES 32 MINUTES 58 SECONDS WEST, 104.43 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE CONTINUING ALONG SAID SOUTH LINE, NORTH 89 DEGREES 32 MINUTES 58 SECONDS WEST, 25.09 FEET TO WEST RIGHT-OF-WAY OF LAKE SHORE DRIVE NORTH; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING 3 COURSES; (1) ALONG A NON-TANGENT CURVE TO THE LEFT FOR AN ARC LENGTH OF 66.53 FEET (SAID CURVE HAVING A RADIUS OF 175.00 FEET, A CHORD BEARING NORTH 41 DEGREES 20 MINUTES 23 SECONDS EAST, AND A CHORD LENGTH OF 66.13 FEET); (2) NORTH 30 DEGREES 44 MINUTES 03 SECONDS EAST, 119.38 FEET; (3) ALONG A TANGENT CURVE TO THE LEFT FOR AN ARC LENGTH OF 46.52 FEET (SAID CURVE HAVING A RADIUS OF 175.00 FEET, A CHORD BEARING NORTH 23 DEGREES 02 MINUTES 05 SECONDS EAST, AND A CHORD LENGTH OF 46.39 FEET); THENCE SOUTH 16 DEGREES 01 MINUTES 55 SECONDS WEST, 170.76 FEET; THENCE SOUTH 49 DEGREES 36 MINUTES 55 SECONDS WEST, 34.82 FEET; THENCE SOUTH 70 DEGREES 35 MINUTES 58 SECONDS WEST, 25.53 FEET TO THE POINT OF BEGINNING, CONTAINING 0.0980 ACRES BASIS OF BEARINGS IS FROM THE BARTHOLOMEW COUNTY SURVEYORS DATA SHEET.*

**SECTION 2: Effective Date**

This ordinance shall take effect upon the recording of documents required by the Bartholomew County Subdivision Control Ordinance (a plat providing for the allocation of the vacated right-of-way among adjoining properties).

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW COUNTY, INDIANA, ON FIRST READING THIS 10th DAY OF August, 2015.**



**RESOLUTION NO. 2015- 05****RESOLUTION ADOPTING AN AMENDED CAPITAL  
IMPROVEMENT PLAN FOR UTILIZATION OF ECONOMIC  
DEVELOPMENT INCOME TAX FUNDS**

WHEREAS, the Board of Commissioners of Bartholomew County, Indiana did, by Resolution No. 2015-03 adopt a Capital Improvement Plan for the utilization of Economic Development Income Tax (EDIT) Funds during calendar years 2015 and 2016; and

WHEREAS, it has become necessary to amend the Capital Improvement Plan to provide for a reallocation of certain of those previously allocated funds.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BARTHOLOMEW COUNTY, INDIANA to adopt the following Amended Capital Improvement Plan pertaining to the utilization of the County's portion of the EDIT Funds during calendar years 2015 and 2016.

1. Up to the sum of Five Hundred Sixty-Nine Thousand Dollars (\$569,000.00) will be utilized during calendar year 2015 for Public Safety.

2. Up to the sum of One Hundred Thousand Dollars (\$100,000.00) will be used for the maintenance and improvement of County buildings and facilities in calendar year 2015. In calendar year 2016, the amount of funds utilized for the maintenance of buildings will be adjusted based upon the EDIT funds anticipated.

3. Up to the sum of Four Hundred Thousand Dollars (\$400,000.00) will be applied to the cost of the construction of a new Bartholomew County Annex Building.

4. Up to the sum of Fifteen Thousand Dollars (\$15,000.00) will be used to obtain two (2) seats on the Columbus Economic Development Board in calendar years 2015 and 2016. One membership shall be utilized by a Bartholomew County Commissioner and one membership shall be utilized by a Bartholomew County Council Member.

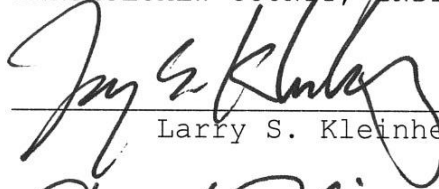
5. Up to the sum of Eight Hundred Twenty-Nine Thousand Dollars (\$829,000.00) will be utilized during calendar year 2015 for general maintenance and repair of county roads.

For calendar year 2016, the amount of funds utilized for general maintenance and repair of county roads will be adjusted based upon the EDIT funds anticipated.

6. Upon passage of this resolution and proper appropriation by the Bartholomew County Council, the Bartholomew County Auditor is authorized to distribute the County's portion of the EDIT Funds consistent with the provision of this Capital Improvement Plan.

7. That this Resolution and Amended Capital Improvement Plan shall be effective Immediately upon its passage.

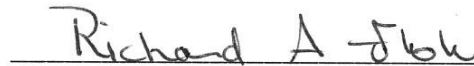
BOARD OF COMMISSIONERS OF  
BARTHOLOMEW COUNTY, INDIANA



Larry S. Kleinhenz, Chairman

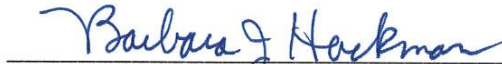


Carl H. Lienhoop, Member



Richard A. Flohr, Member

ATTEST:



Barbara J. Hackman, Auditor