

**FRANKLIN COUNTY COMMISSIONERS MEETING**  
**MEMORANDUM & MINUTES**  
**September 26th, 2011 @ 10:00 AM**  
**COMMISSIONERS/COUNCIL PUBLIC MEETING ROOM 203**

Those Present: County Commissioners: Thomas Wilson Tom Linkel Scott McDonough  
County Auditor: Erica Hudson  
Commissioners Secretary: Carol Westerman

Thomas Wilson opened the meeting with the Pledge of Allegiance.

**OPEN BIDS: #135-**

<u>Bidder</u>	<u>Bid Amount</u>
Ben Harrison Excavating	\$63,412.10
DK Walls, Inc.	\$84,780.00
All American Construction	\$57,413.00
C&H/M Excavating, Inc.	\$123,675.85
Brackney, Inc.	\$140,395.60
Paul H. Rohe Co., Inc.	\$149,753.72
Ken Bischoff Excavating	\$72,973.55

There will be a temporary turn around due to this being a dead end. The Commissioners are going to take the Bids under advisement for 1 hour to allow the County Engineers time to look them over and then give a recommendation.

**MINUTES: 9/12/2011-** MOTION- Tom Linkel motioned to approve the minutes for September 12<sup>th</sup>, 2011. Scott McDonough 2<sup>nd</sup>. Thomas Wilson abstained due to him being absent. AIF (2), MC.

**PERMIT FEE: SHELLY LUNSFORD & JANE LUDWIG-** Shelly and Jane presented the blueprint for the Gazebo at the Courthouse. This is being funded through the Foundation; material cost associated \$20,000.00. The structure will be similar to the one established during the 20's. The flagpole will go through the center of the structure; 8 sides, 6ft x 6ft, 4 openings, and no steps. MOTION- Scott McDonough motioned to waive the permit fee for the Courthouse Gazebo Project; beginning the month of October. Tom Linkel 2<sup>nd</sup>. Thomas Wilson, AIF. MC.

**CLAIM-** MOTION- Tom Linkel motioned to approve the claim for Scott McDonough to attend the AIC Conference in the amount of \$575.00. Thomas Wilson 2<sup>nd</sup>. Scott McDonough abstained. AIF (2), MC.

**ACEC INDIANA: ENGINEERING EXCELLENCE AWARD-** MOTION- Tom Linkel motioned to sign the letter to enter Clark Dietz, for Bridges #48 and #102 for the 2012 Engineering Excellence Award Competition. Scott McDonough 2<sup>nd</sup>. Thomas Wilson, AIF. MC.

**ORDINANCE 2011-12: AMEND ZONING CODE-** Scott McDonough explained that there are some clerical errors and those were corrected and drafted to the APC. Scott has not had time to review to compare the language. This will also allow time to seek the intentions of the Towns. The attorneys were present during the later part of the meeting; Lowell McMillin, Brenda Wilhelm, Tammy Davis, and Rene Stivers. Scott McDonough commented that there are no further requirements at this time. McMillin felt the goal is to maintain the integrity of the Towns. McMillin stated that the Zone Map is legally defined and that the issue is the cost of enforcement. After the meeting it was the consensus that the cost issue is nonexistent. Lowell explained that the Towns, Commissioners, and the APC need to maintain a unified code. The APC has a limited budget for enforcement and this is up to Council to fund; if not then the Commissioners can incur the cost or choose not to enforce. The taxpayers already pay for the APC to enforce the code. There are no new rules and there were no previous issues with the APC enforcing the code. There are limited funds for litigation in the APC's budget and the APC is the first contact for zoning enforcement. Larry Franzman requested \$6,000 in the budget for litigation and Council cut it back to \$2,000. Scott McDonough commented that this will only cover 1 or 2 lawsuits. Larry Franzman stated that pets and signs are the main issues. Renee Stivers explained that the majority of signs are illegal, however there has never been any money spent on litigation. The noise is the major issue with animals, but this varies in the Towns and County. Scott McDonough commented that the major issues he sees are animal limits within a home, garbage, and private lanes. Tammy Davis commented that in the past 5 years garbage issues are the only cases pursued. Scott felt that if the \$2,000 is used up in litigation then the APC will need to go before Council which also allows for control. Thomas Wilson commented that he currently has serious complaints about a residence on Frazer Road that has a hog in the yard, chickens going in and out of the home, and trash in the yard. The attorneys were in consensus that the need for another roundtable discussion would clear the remaining issues up and that this does not have to be the finalization as long as there is a consensus about the unified code. Lowell discussed that maintaining timelines is of the essence. Scott felt that a meeting on Friday at noon would be appropriate to go over the amendments and agree to the language. John Worth felt that the process was very close to an agreement and everyone is working hard to finish. Larry also stated that a letter usually resolves most issues. Scott felt that it is important to regulate health concerns. Joe Gillespie wants everyone to utilize a unified code that is legal and agreed upon.

**ORDINANCE 2011-20A: SICK LEAVE BANK AMENDMENT-** MOTION- Scott McDonough motioned to adopt Ordinance 2011-20A which replaces Ordinance 2011-20; Section J deleted. Tom Linkel 2<sup>nd</sup>. Thomas Wilson, AIF. MC.

**METAMORA REGIONAL SEWER DISTRICT: APPOINTMENT-** MOTION- Scott McDonough motioned to reappoint Steve Collier to the Metamora Sewer Board. Tom Linkel 2<sup>nd</sup>. Thomas Wilson, AIF. MC.

**BRIDGE #135 BIDS: NOTICE TO AWARD-** It was the recommendation that the Bid be awarded to All American which was the low bidder. MOTION- Scott McDonough motioned to award the Bid to All American. Tom Linkel 2<sup>nd</sup>. Thomas Wilson, AIF. MC

**COUNTY ENGINEERS UPDATES: GEORGE HARTMAN & TED COOLEY-**

Log Jams- MOTION- Thomas Wilson motioned to sign Change Order 1 in the amount of \$550.00 for Bridge #59, #139, and Culvert BU. Tom Linkel 2<sup>nd</sup>. Scott McDonough abstained. AIF (2), MC.

#117- The guardrail is being furnished. Utility work is almost complete; Comcast to begin today.

Salt Dome- This project is set to begin on October 11<sup>th</sup>, 2011.

FEMA- There is a Flood Insurance Study meeting on October 5<sup>th</sup> at 1:30.

**ORDINANCES 2011-21 (STANDARD), 2011-22 (SHERIFF), and 2011-23 (HIGHWAY): PERSONNEL POLICY AMENDMENTS-** Scott McDonough explained that the Committee would like the same policy across the board; 160 hours Comp Time which is 4 weeks. Tom Linkel is going to cap the Comp Time at 40 hours and once that is used then the remaining 120 hours can be utilized in 40 hour increments for the Highway. MOTION- Tom Linkel motioned to approve Ordinances 2011-21, 2011-22, and 2011-23 for the Personnel Policy Amendments. Scott McDonough 2<sup>nd</sup>. Thomas Wilson, AIF. MC.

Comments- Tom Linkel commented that there have been concerned constituents in reference to running the bush whackers on the weekends. Tom explained that they can get more accomplished and that they are working on Comp Time. Scott McDonough felt there would be just as many if not more complaints if the issue was not being maintained. Tom Linkel commented that he would like to continue and that Comp Time is different than Overtime. Thomas Wilson was concerned that the public may not be aware of the work being performed by the Highway on the weekends and this could be a safety issue with the traffic. Tom Linkel felt that with the signs being utilized and there was no response from the public wanting their area sprayed with the herbicide. Tom Linkel stated that the Highway will continue to work on Comp Time during the weekends.


ADJOURN- MOTION- Tom Linkel motioned to adjourn. Scott McDonough 2<sup>nd</sup>. Thomas Wilson, AIF. MC.

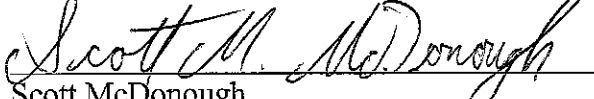
Others Present:	Jeff Meinders	David Stang	Gary Davidson	Haroline Ison	Ben Harrison
John Estridge	Marty Hon	Joe Gillespie	Ken Bischoff	George Hartman	Wayne Monroe
Shelly Lunsford	Jane Ludwig	Daryl Kramer	Ruthie Mannix	Darrell Smith	Melinda Bundy

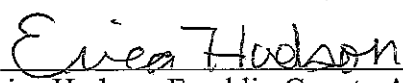
Note: Those names listed are spelled as correctly as possible due to the legibility on the sign in sheet.

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Thomas Wilson

  
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Tom Linkel

  
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Scott McDonough

ATTEST:   
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Erica Hudson, Franklin County Auditor

NAY

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Thomas Wilson

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Tom Linkel

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Scott McDonough