

**FRANKLIN COUNTY COMMISSIONERS MEETING
MEMORANDUM & MINUTES
October 3rd, 2011 @ 7:00 PM
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.

MINUTES: 9/19/2011- MOTION- Tom Linkel motioned to approve the minutes for September 19th, 2011. Thomas Wilson, 2nd. Scott McDonough abstained due to being absent during the meeting being approved. AIF (2), MC.

PAYROLL- MOTION- Scott McDonough motioned to approve the payroll. Tom Linkel 2nd. Thomas Wilson, AIF. MC.

CLAIMS- MOTION- Thomas Wilson motioned to approve all claims with the exception of reimbursement and conference claims for the Auditor's Office; tabled those claims not approved until the following week. Scott McDonough 2nd. Tom Linkel, AIF. MC.

There was a brief discussion on the claims that were tabled. Thomas Wilson stated that Becky Oglesby had questioned the reimbursement and conference claims submitted. Thomas stated that some Departments pay for their hotel stay and then get reimbursed and they wanted to know why the Auditor should be an exception. Erica Hudson (Auditor) explained that there are 2 State Conferences annually and 1 Conference that is the Association of Indiana Counties (AIC) annually. She explained that the State called meetings are per State Board of Accounts (SBOA) and pertain specifically to Auditor's and the AIC pertains to all levels of County Government. Erica stated that unfortunately she does not have the funds to pay for Conference expenses out of pocket and that this is the same procedure she followed with the Spring Conference earlier in the year. Scott McDonough looked over the reimbursement and conference claims and explained that the reimbursement is only for meals and mileage for the AIC Conference that had just taken place the previous week and the claim for Conference is for the upcoming SBOA fall Conference at the end of October. Tom Linkel was fine with everything as long as the same procedure is an option for all Departments. Erica stated that it definitely is and all they have to do is submit the claim with proper justification (invoice) and it will be processed in the Auditor's Office and then the Commissioners approve the claim and the check is issued. Erica stated that there was a lack of communication because the Treasurer had never brought this to her attention prior to the meeting. Thomas Wilson stated that he would contact the Treasurer and a decision would be made at the following meeting.

COUNTY ENGINEER UPDATES: GEORGE HARTMAN & TED COOLEY- MOTION- Tom Linkel motioned to approve Change Order 1 for Log Jams and debris removal on Bridge #81 in the amount of \$450.00 to All American Construction. Scott McDonough 2nd. Thomas Wilson, AIF. MC. **MOTION-** Tom Linkel motioned to approve Change Order 1 for Log Jams and debris removal on Bridge #59, 139, and Culvert BU 3202 in the amount of \$1,350.00. Scott McDonough 2nd. Thomas Wilson, AIF. MC.

Notice to Proceed: #135- MOTION- Thomas Wilson motioned to award the Notice to Proceed to All American. Scott McDonough 2nd. Tom Linkel, AIF. MC.

Contract: #135- MOTION- Tom Linkel motioned to sign the Contract with All American. Thomas Wilson 2nd. Scott McDonough, AIF. MC.

#117- George Hartman was confident that construction is moving forward according to schedule.

Underwater Inspection- George stated that the underwater inspections for #17, 46, 55, 56, and 144 are complete. The debris removal allowed completion to progress faster. Tom Linkel commented that constituents are pleased with the progress.

Log Jams- Ted commented that there will be a Change Order for All American in the amount of \$300.00.

Bridge Inspection Report- Ted mentioned that there is brush in culverts that is growing on the bank, the removal fee is \$100.00.

#18- Ted explained that this is a wood bridge with drains and it needs cleaned; \$100.00 estimate.

Log Jam Vegetation Cleaning #59 & #139- It will be \$200.00 for #59 (200 ft) and \$100.00 for #139. Tom Linkel suggested that the stumps be sprayed to prevent regrowth and the vegetation be cut and sprayed as well.

#81- Ben Harrison will take care of the blocked inlets for \$150.00.

Other- Ted suggested that the Bridge Decks be cleaned and maintained. Tom Linkel stated that this is something the Highway should maintain. Ted stated that there are many damaged guardrails as well as brush overgrowth; estimates to be calculated prior to determining the County's options. Tom Linkel discussed briefly that the Highway should be contacted for spraying. Tom also discussed that there will need to be right of way easements established prior to the roadside spraying project. Ted suggested utilizing the plat books and annual spraying to maintain. Scott McDonough mentioned that English Hill should be considered for a guardrail replacement. Scott also expressed that by being proactive to maintain the log jams, brush issues, and vegetation will save the County money in the future.

2012 SCHEDULES: COMMISSIONERS, PAYROLL, & HOLIDAY- MOTION- Tom Linkel motioned to approve Ordinance 2011-34, Holiday Schedule. Scott McDonough 2nd. Thomas Wilson, AIF. MC. The Commissioners were in a consensus to schedule 3 Commissioners meetings per month for 2012; 2 at 10 AM and 1 at 7 PM (alternating). The Commissioners feel that this year it was relevant to have four, however the meetings are progressing and it is no longer necessary to maintain four meeting per month. The Commissioners stated that if things arise then they can have special meetings or executive sessions when needed. The Commissioners were in consensus to table the Commissioners and Payroll Schedules until they reflected the 3 meeting timeline.

DOMESTIC VIOLENCE AWARENESS MONTH- The Commissioners reached a consensus to allow October to be Domestic Violence Awareness Month; on October 15th a banner will be hung at the Courthouse (12:00 PM). There will also be a Prayer Service at the Courthouse on October 21st at the Courthouse. Thomas Wilson commented that he would like to see the Chamber coordinate with Main Street to set up the Christmas Tree and set up the Nativity Scene this year.

ECONOMIC DEVELOPMENT BOARD APPOINTMENT- Thomas Wilson stated that he is pleased with the Commission, however he feels it is the Commissioners duty to become the appointed Board for Economic Development. Scott McDonough commented that it will be determined by Council, thus the Commissioners need to address Council at the next Council meeting and express their intentions. The Commissioners goal is to consolidate and replace several Boards.

ZAYO- Scott McDonough wants to assure that the Schools, Libraries and Police Department to have immediate access while this project is innovating. Scott would like to base an agreement off of a guarantee that those locations will instantaneously gain broadband access as a result of this project. Scott feels that this is a reasonable expectation considering the intention is for educational purposes, it is federally funded, and a State project.

ZONING AMENDMENTS- John Worth explained that during the September 30th meeting Scott McDonough and Grant Reeves were present and the following Amendments were discussed; some were eliminated. Altogether the progress made during this meeting supersedes previous meetings. The language remained similar; however (i) was utilized within to represent the Incorporated Towns.

AMENDMENTS

- I. Business Exemption Clause: Eliminated.
- II. Number of Square Feet per 2 Story Home: County & Towns: 1,440 sq ft for a 1 Story House and 2 Story remains the same except for the limitation of 1,000 sq ft for the first level and no more than 800 sq ft on the second level. Change reflected Town and County living space.

- III. Structure Oversight: Permit requirements for all/any changes over 150 ft and increased oversight for Incorporated Towns.
- IV. Animal Limitations: This is not a Zoning issue, but an agreement needs to be established with the Towns. There should be 2 Ordinances in place specifically for animal issues; 1 County & 1 Town(s). The limitation within a home is 7. Scott McDonough commented that if changes or additional enforcement is required then the Town(s) is obligated to maintain; fund. Reimbursement would be defined by the Ordinance established; per incident or annual fee. Bob Braun stated that the Town does not want to pay. Scott stated that whether or not the language was specific or included, SAC and the Commissioners would continue to perform as in the past. However if additional enforcement is required then it will cost. Regular runs will continue as usual.
- V. Rummage Sale Limitations: The Towns want to lower this from 4 sales annually at 4 days to 2 sales annually at a maximum of 2 days. This was also determined to be a standard County issue and not a Zoning issue. Most felt that the County and Towns should regulate if needed.
- VI. Misc. Section for Mobile Homes needs to be clarified or changed specific to the County & Towns.
- VII. Home Businesses: Differentiate Towns vs. County; the Towns prefer the old code.
- VIII. Signs: The Towns prefer the old code to allow moral suasion; marketing power.
- IX. Level 1, 2, & 3; Towns want Level 3 for conditional uses as a blanket. Level 1 (No Review), Level 2 (Larry Franzman's signatures required), and Level 3 (Review for all conditional uses).
- X. Mobile Homes: Town vs. County; differentiate. Towns can add additional restrictions.
- XI. Private Lanes: From 5 houses on a private lane to 1. Scott McDonough commented that the Towns can enforce through their own code perhaps an Ordinance is more justifiable then having this in the Zoning text/code.
- XII. Map Update: This is adequate.
- XIII. Fines: Per incident; the Towns prefer everyday vs. 1 maximum fine. This will allow better fines structure and less notification.
- XIV. Square Feet: 2 families home or multifamily; the Towns want this reduced from 20,000 sq ft to 12,000 sq ft. Clerical Error.
- XV. Enclosed Industrial Districts: Single family home (add restrictions/ Level 3). Currently there is no language incorporated thus there are no restrictions.
- XVI. Trash: Towns wish to be separated from County. The Towns have put together amendments that will go to the APC for review and also must be approved by the Commissioners. Scott McDonough feels that personal freedom should not be regulated and this should not become an issue that could potentially cause one to lose their home over depreciated property value or weed liens. Thomas Wilson disagreed and stated that defining personal freedom is ones opinion; he felt that zoning would be a minor issue if property owners were considerate to their neighbors.

Scott explained that this is a process that needs to come to an end and the next steps should be a result of that effort; new process of amendments, review, send to APC, Commissioners consensus reached, and separating Towns vs. County within the Code. Thomas Wilson stated that this is very close to being a unified code and that it should be considered a living document that will grow and change as it progresses. Scott wants to consider a committee to review the comprehensive plan, consolidate, and then utilize a new code as the entirety from the old code to reference as a finalized unified code (2012).

COMMENTS/OTHER- Tom Linkel briefly discussed a zoning issue that a tree farmer is having obtaining an agriculture building permit. The individual claims that Larry Franzman is considering this a commercial business. Scott McDonough stated that tree farmers are exempt from the zoning code due to lacking language specific to tree farmers. Thomas Wilson stated that this is not commercial and the permit should have been authorized; Larry was not present for any comment. Thomas also stated that this is a seasonal business. Scott felt that the individual should appear before the APC. John Estridge commented that Joe Gillespie should be recommended as a point of contact. The Commissioners reached a consensus that business should be encouraged. Scott clarified the Veteran Service Officer's position and said that the current salary is funded at 13.5 hours per week based on the pay received bi weekly. Scott stated that the contract needs to be revised and amended and that the same rate of pay would pertain to 2012. Scott clarified that the intention for the position from here on out was full time status and salary of 20 hours per week. Scott mentioned that during the AIC Conference he inquired about Jaguar electronic face recognition time clock software for the County. This would be networked directly to the Auditor. Scott explained that this does not replace the paper system currently in place and the first unit is \$1,000.00; each unit thereafter decreases to \$500 per unit. Scott's intentions were to establish 1 per County building. Scott stated that this would only be utilized by those employees overseen by the Commissioners; also depends on the Elected Officials consensus. Scott also inquired about a company that provides free analysis to determine clean energy use within the County buildings; evaluates utilities. Scott briefly discussed changing some of the federal holidays to local holidays. John Worth advised Scott to leave them as scheduled per federal and state requirements.

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

Others Present: Sara Duffy Ted Cooley Robert Braun George Hartman

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

AYE

Thomas Wilson
Thomas Wilson

Tom Linkel
Tom Linkel

Scott McDonough
Scott McDonough

ATTEST: Erica Hudson
Erica Hudson, Franklin County Auditor

NAY

Thomas Wilson

Tom Linkel

Scott McDonough