FRANKLIN COUNTY COMMISSIONERS MEETING
MAY 22, 2018
COMMISSIONERS/COUNCIL MEETING ROOM, #203

The Franklin County Commissioners met in regular meeting on May 22, 2018, at 10:00 a.m. in the Commissioners/Council Meeting Room. Those present were Tom Wilson, Tom Linkel, Eric Roberts, Carol Westerman and Karla Bauman, Auditor.

The meeting was called to order and the Pledge of Allegiance was led by Tom Wilson.

Mr. Wilson moved to close the regular meeting and open the Board of Finance meeting, seconded by Eric Roberts, all in favor, motion carried.

Motion to appoint Tom Wilson as President by Tom Linkel, seconded by Eric Roberts, all in favor, motion carried.

Motion to appoint Veronica Voelker Secretary by Tom Linkel, seconded by Eric Roberts, all in favor, motion carried.

Motion to close Board of Finance meeting and reopen Commissioners meeting by Tom Wilson, seconded Eric Roberts, all in favor, motion carried.

Woodrow Smith – Sunshine Acres – Culvert: Mr. Smith spoke to the Commissioners and presented issues with the culvert at the entrance to his street. There is a big hole he would like permission to fill if the County or State will not fix. Commissioners stated that they believe this would be considered a private drive and Mr. Gillespie believes that the State's right of way is substantial. Mr. Gillespie suggested that Mr. Smith start at the district in Aurora.

Joe Copeland, FC Engineer – Updates: Both Bridge 59 & 143 are held up due to waiting on permits. Permit applications have been submitted for both. All bridge inspections have been completed for 2014-2017 Des. 1382110. **Motion to sign letter closing purchase order for bridge inspections by Tom Linkel, seconded by Eric Roberts, all in favor, motion carried.** A copy is attached hereto.

Motion to accept proposed chain of command at the Highway Department by Tom Linkel, seconded by Eric Roberts, all in favor, motion carried. A copy is attached hereto.

Mr. Copeland presented two quotes for a Lowboy Trailer and Hot Box. Southeastern Equipment Co., Inc.'s quote was $46,262 for Eager Beaver 35 GSL-S Trailer and $18,000 for hotbox for a total of $64,262. Murphy Tractor and Equipment's quote was $45,700 for the trailer and $19.900 for the hotbox. Mr. Copeland recommended the commissioners accept the quote from Southeastern Equipment Co., Inc. for the total sum of $64,262.00. **Motion to approve the quote of Southeastern Equipment Co., Inc., subject to County Council approving**

an additional in the sum of $4,262, by Tom Linkel, seconded by Tom Wilson. Mr. Roberts opposed stating that the money should be in place first. Motion carried.

Motion amended to approve the quote with a transfer of $4,262 for tonight's county council meeting, by Tom Linkel, seconded by Eric Roberts, all in favor, motion carried.

Mr. Copeland also told the Commissioners that he would be attending the County Council meeting to get their blessing on a $400,000 request for additional appropriation. $300,000 will be for roads and $100,000 for equipment.

Commissioners would like the Auditor to assist with estimating the revenue increase due to the gas tax that was put in place July 1, 2017. Mr. Roberts explained that the gas tax distribution is based on the number of vehicles registered in each County and not on the amount of gas sold in each County.

Approve Minutes – May 9, 2018: Motion to approve the May 9, 2018 minutes by Tom Wilson, seconded by Eric Roberts, all in favor, motion carried.

Approve Claims: Motion to deduct ¾ of an hour from Ted Cooley's invoice by Eric Roberts. Mr. Roberts rescinds said motion. Motion to approve all claims, with the exception of Ted Cooley's claim by Tom Linkel, seconded by Eric Roberts, all in favor, motion carried.

Approve Payroll: Motion to approve payroll by Tom Linkel, seconded by Eric Roberts, all in favor, motion carried.

Approve Payroll Deduction Claims: Motion to approve the payroll deduction claims by Tom Linkel, seconded by Eric Roberts, all in favor, motion carried.

VSO, Treasurer & Clerk April, 2018 report: Motion to acknowledge receipt of the Veteran Officer, Treasurer and Clerk April, 2018 reports, by Tom Wilson, seconded Tom Linkel, all in favor, motion carried.

Midwest Toxicology Services LLC-A DISA Company Highway: - Commissioners did not have a change to review this policy. It was moved to the next meeting's agenda.

Change Nature of Capital Asset: Motion to approve the request to transfer a 2004 Ford Expedition from Sheriff Dept. to Highway Dept. by Eric Roberts, seconded by Tom Linkel, all in favor, motion carried.

Covered Bridge Certification: Motion to sign Covered Bridge Certification by Tom Wilson, seconded by Tom Linkel, all in favor, motion carried.

Ordinance 2018-06 – Debris on Road: Motion to approve Ordinance 2018-06 An Ordinance Prohibiting the Tracking or Deposit of Mud or Other Debris on Franklin County

Highways/Roadways, by Tom Linkel, seconded by Tom Wilson, all in favor, motion carried. A copy of Ordinance 2018-06 is attached hereto.

Ordinance 2018-07 Violation Bureau: The only change being made with the violation bureau ordinance is the Treasurer being appointed as the Violation Bureau Clerk. **Motion to approve Ordinance 2018-07 Ordinance Amending an Ordinance Providing for an Ordinance Violation Bureau and other Collection Procedures by Tom Linkel, seconded by Eric Roberts, all in favor, motion carried.** A copy of Ordinance 2018-07 is attached hereto.

Ordinance 2018-__: On Call Vehicle Policy: Commissioners were not ready to approve this ordinance at this meeting. Additional information is needed on how the Auditor's office will track this information.

Indemnity Agreement – Metamora Fire Dept. & Franklin County (Fireworks July 7, 2018): Motion to approve the Indemnity Agreement between the Metamora Fire Dept. and Franklin County by Tom Linkel, seconded by Tom Wilson, all in favor, motion carried. A copy of said Indemnity Agreement is attached herto.

Joe Gillespie - Miles-Hubbard Ditch: Mr. Gillespie requested that the Commissioners schedule a Drainage Board meeting for June 26, 2018 to discuss the Miles-Hubbard Ditch. Drain Board meeting scheduled for June 26, 2018 at 10:00 a.m.

Public Comment: Mr. Clovis Hall, Jr. and James Hall came before the Commissioners to discuss a water drainage issue they are having on Walnut Street and New Trenton Road. Water is not making it to the catch basin. The Commissioners have no answer at this time. They will get the County Engineer to look at it.

Sara Duffy: Ms. Duffy asked if the Highway Dept. was looking for part-time summer help. The highway dept is in need of part-time help for summer mowing. This would be seasonal help, $12.00 per hour and they are currently working 40 hours per week.

Adjourn: Motion to adjourn by Tom Wilson, seconded by Tom Linkel, all in favor, motion carried.

Minutes approved June 5, 2018.

Others Present: Mildred I. Simmermeyer, Betty C. Lecher, Clovis Hall, Jr., James Hall, Woodrow Smith, Wayne Monroe, Joe Copeland, Jolene Beneker, Sara Duffy and Perry Knox (SJCA Engineers)

AYES:

Tom Wilson

NAYS:

Tom Wilson

Tom Linkel

Tom Linkel

Eric Roberts

Eric Roberts

Attested By: Karla J. Bauman
Karla J. Bauman
Franklin County Auditor

Franklin County Commissioners

May 22, 2018

Andrew J. Wortkoetter, P.E.
Local Projects Engineer
INDOT
32 South Broadway
Greenfield, IN 46140

Re: Franklin Co. Bridge Inspection
Des. No. 1382110

Dear Mr. Wortkoetter:

All invoices have been processed and paid and reimbursement received for the Franklin County Bridge Inspection 2014-2017. Franklin County requests that the Purchase Order for this project be closed.

If there are any additional items needed, please let us know.

Franklin Co. Board of Commissioners,

Tom Wilson, President

Tom Linkel, Vice President

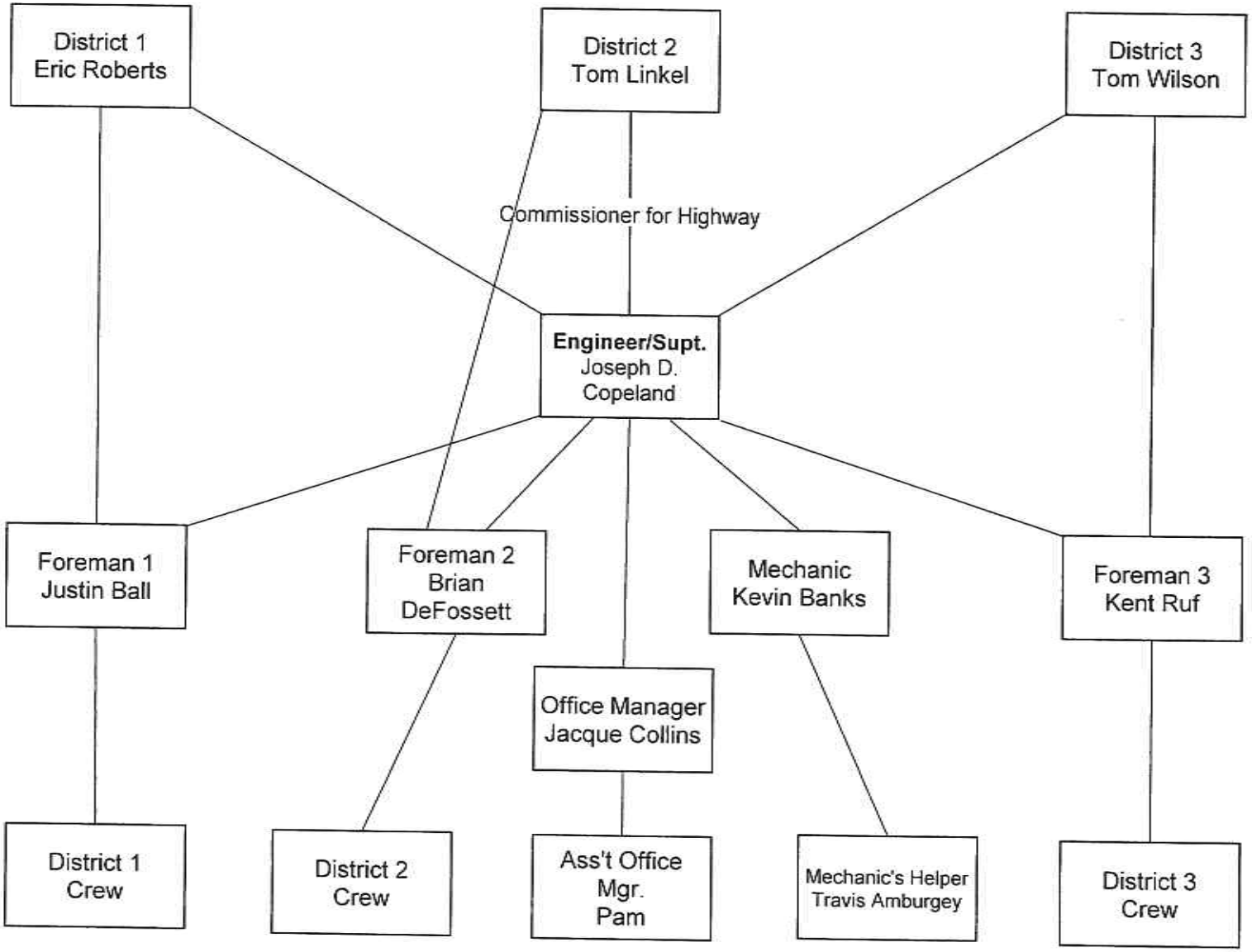
Eric Roberts, Member

Attest: Karla J. Bauman
Karla J. Bauman, Franklin County Auditor

cc: file

1010 Franklin Avenue • Brookville, Indiana 47012 • 765-647-4985 Office • 765-647-6926 Fax

FRANKLIN COUNTY HIGHWAY
5/2/2018



COVERED BRIDGE CERTIFICATION

State Form 56491 (3-18)
Prescribed by Auditor of State, 2018
Approved by State Board of Accounts, 2018

Auditor of State
200 W Washington Rm 240, State House
Indianapolis, IN 46204
Telephone 317-232-3700
www.in.gov/aos

County Name Franklin

Number of covered bridges per IC 8-14-1-10 2

We, the county commissioners of Franklin County, hereby certify that the aforementioned is the true number of covered bridges in said county per IC 8-14-1-10 for calendar year 2018.

Dated this 22nd day of May, 2018.

Tom E. Wilson
County Commissioner Name (*Print: First, Middle, Last*)

County Commissioner's Signature

Tom Linkel
County Commissioner Name (*Print: First, Middle, Last*)

County Commissioner's Signature

Eric Roberts
County Commissioner Name (*Print: First, Middle, Last*)

County Commissioner's Signature

Karla J. Bauman
County Auditor Name (*Print: First, Middle, Last*)

County Auditor Signature

Due by June 30, _____

E-mail completed form to: localgovernment@auditor.in.gov

2018001442 ORDI $0.00
05/22/2018 01:44:07P 2 PGS
CONSTANCE BISCHOFF
FRANKLIN County Recorder IN
Recorded as Presented

ORDINANCE NO. 2018 - 06

AN ORDINANCE PROHIBITING THE TRACKING OR DEPOSIT OF MUD OR OTHER DEBRIS ON FRANKLIN COUNTY HIGHWAYS/ROADWAYS

WHEREAS, it is determined that, Franklin County, IN, is in need of a policy governing debris tracked onto county roadways and highways;

WHEREAS, the Franklin County Board of Commissioners (the "Commissioners") is authorized, under I.C. § 36-1-3, et seq., to adopt home rule ordinances in matters that do not abrogate state law

BE IT NOW ORDAINED by the Commissioners, that:

1. No person shall drive or move any vehicle on Franklin County Highways, including all roadways, alleys, or other public rights of way, the wheels, tires, frame, or chassis of which carry onto or deposit in any mud, dirt, sticky substances, litter or foreign matter of any kind ("Debris") onto such Franklin County Highways.

2. The Franklin County Sheriff shall provide a written warning to (1) the operator of any Vehicle depositing such Debris, (2) the owner of any Vehicle depositing such Debris, and/or (3) the landowner that is the source of such Debris, requiring cleanup and removal of such Debris within twenty-four (24) hours. The failure to completely cleanup and remove such Debris within twenty-four (24) hours shall constitute a violation of this ordinance.

3. (1) The operator of any Vehicle depositing such Debris, (2) the owner of any Vehicle depositing such Debris, and/or (3) the landowner that is the source of such Debris may each be held liable for any Violation hereunder.

4. Fines and penalties for violations of this ordinance:

    1. First violation - $100.00;

    2. Second violation - $250.00;

    3. Third and Subsequent Violations - $500.00;

    4. Fines up to $250.00 may be paid through the Franklin County Ordinance Violations Bureau, if such bureau exists, or may be contested in court.

    5. Court costs, as set by the state schedule, shall apply to all cases contested in court.

    6. All fines shall be deposited into the Franklin County General Fund.

FILED
MAY 22 2018
Karla J. Bauman
FRANKLIN COUNTY AUDITOR

7. In addition, if the violator hereunder fails to remove any debris, mud, dirt, or other debris within twenty-four (24) hours and the Franklin County Highway Department or its contractor shall cause the removal, the cost incurred thereby shall be billed to the violator in writing, payable within 15 days.

5. Enforcement of this ordinance shall be conducted pursuant to I.C. § 34-28-5.

6. If any provision of this ordinance is found to conflict with Indiana state law or with federal law, all other portions shall remain in full force and effect.

7. This ordinance shall become effective on June 1, 2018, or upon the completion of all publication requirements, whichever is later.

BE IT NOW ORDAINED AND ADOPTED this 22nd day of May, 2018.

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

TOM WILSON

TOM LINKEL

ERIC ROBERTS

ATTEST: Karla J. Bauman
KARLA BAUMAN, AUDITOR
FRANKLIN COUNTY, INDIANA

Rerecord to correct Ordinance #2013-2 to #2013-21

2018001443 ORDI $0.00
05/22/2018 01:45:28P 1 PGS
CONSTANCE BISCHOFF
FRANKLIN County Recorder IN
Recorded as Presented

ORDINANCE NO. 2018-07

ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR AN ORDINANCE VIOLATION BUREAU AND OTHER COLLECTION PROCEDURES

WHEREAS, the Board of Commissioners of Franklin County, Indiana, (the "Commissioners") previously adopted an ordinance creating an Ordinance Violation Bureau, to wit Ordinance 2013-2; and

WHEREAS, the Commissioners now wish to streamline the procedures for collection and consolidate the collection of all ordinance violations with the Franklin County Treasurer

BE IT NOW ORDAINED by the Board of Commissioners of Franklin County, Indiana, that:

1. The second sentence of Paragraph 6 of Ordinance 2013-21is hereby amended to read as follows:
    a. "The Franklin County Treasurer is hereby designated as the Violations Clerk of the OVB."

BE IT NOW ORDAINED AND ADOPTED this 22nd day of May, 2018.

BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, INDIANA

TOM WILSON

TOM LINKEL

ERIC ROBERTS

ATTEST: Karla J. Bauman
KARLA BAUMAN, AUDITOR
FRANKLIN COUNTY, INDIANA

2018001482 ORDI $0.00
05/24/2018 02:15:50P 1 PGS
CONSTANCE BISCHOFF
FRANKLIN County Recorder IN
Recorded as Presented

FILED

MAY 22 2018

Karla J. Bauman
FRANKLIN COUNTY AUDITOR

Indemnity Agreement By and Between the
Metamora Volunteer Fire Department and Franklin County, Indiana

For good and valuable consideration, the Metamora Volunteer Fire Department ("MVFD") hereby agrees to defend, indemnify and hold harmless Franklin County, Indiana, its officials, employees, and Board of Commissioners, individually and collectively, from and against all costs, losses, claims, demands, suits, actions, payments and judgments, including legal and attorney fees, arising from personal or bodily injuries, property damage or otherwise, however caused, brought or recovered against any of the above that may arise for any reason from or during or be alleged to be caused by any fireworks purchased with funds provided by Franklin County, Indiana, for the year 2018 (the "Fireworks"). This agreement shall cover the Fireworks at all times, including but not limited to transit, storage, operation, and landing of the Fireworks. The MVFD or its insurer shall select appropriate legal counsel to defend any action. However, in the event that Franklin County is unsatisfied with the legal counsel so chosen or if a conflict of interest arises, Franklin County may select its own legal counsel and present the fees for such counsel to the MVFD for payment.

The Metamora Volunteer Fire Department hereby also agrees to provide Franklin County with a certificate of insurance and a copy of any and all required fireworks permits and/or licensure.

Authorized Signatures:

METAMORA VOLUNTEER FIRE DEPARTMENT

_____
John Arcaro

_____
Fire Chief

FRANKLIN COUNTY, by its
BOARD OF COMMISSIONERS

5-22-18
Tom Wilson

5-22-18
Tom Linkel

5-22-18
Eric Roberts

Attest:

Karla Bauman, Franklin County Auditor