

COMMISSIONERS' REGULAR MEETING – March 9, 2009

Commissioner John Price called the March 9, 2009 Commissioners' regular meeting to order at 3:30 p.m. with Board members Tom Kite and Troy DeHart present.

PLEDGE: John Price led the pledge of allegiance.

INVOCATION: Tom Kite led the invocation.

BOYS & GIRLS CLUB- SPECIAL EVENT- PERMISSION TO USE COUNTY PARKING LOT- TERESA MCCLURE: Teresa McClure, Executive Director of the Boys & Girls Club, stated she is before the Board today to receive approval from the Board to use the County parking lot that is located between PDQ Printing and the JCPL administration office. Ms. McClure stated the use of the parking lot would be for the Go Kart Race that will be held August 1st & 2nd. Ms. McClure stated the go karts would be housed there and the lot would also be the starting point for the race. Ms. McClure stated the route has been changed this year from last year. Ms. McClure also stated she has been before the City of Franklin for permission to close certain streets during the race. Ms. McClure stated the Karting Company will be providing the County with a certificate of additional insured for insurance purposes.

Troy DeHart made a motion to approve the Boys & Girls Club to use County property on August 1st & 2nd. Tom Kite seconded the motion and the motion carried unanimously.

Mr. Price stated the insurance certificate would need to state the County is covered on any County property.

ADMINISTRATIVE FUNCTION AS TO DEPARTMENT HEADS:

Johnson County Clerk- Approval of Imaging Office Systems Agreement- Jill Jackson: Jill Jackson, County Clerk, stated she is before the Board today to receive approval of the Imaging Office Systems maintenance agreements. Ms. Jackson stated the agreements are for Microfilm equipment in the Clerk's office.

Tom Kite made a motion to approve the maintenance agreements in the amount of \$1,127.41 and \$3,308.31. Troy DeHart seconded the motion and the motion carried unanimously.

Johnson County Planning & Zoning- Revised Construction Plans- Village of Lone Pine Farms PUD, Section 1- Allen Kirk: Allen Kirk, Planning & Zoning Engineer, stated he is before the Board today to receive approval of the revised construction plans for the Village of Lone Pine Farms PUD, Section One. Mr. Kirk stated the revised construction plans include the revised location of previously approved 24" force main from Honey Creek Lift Station to north of Stones Crossing Road. Mr. Kirk stated portion of the line moved to the northwest side of Honey Creek. Mr. Kirk also stated the revised construction plans include the revised location of previously approved 24" gravity line

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from north of Stones Crossing Road to Honey Creek Lift Station. Mr. Kirk stated portion of the line moved to the northwest side of Honey Creek.

Mr. Kirk also stated the following have also been accepted for the revised construction plans:

- additional signed & recorded offsite sanitary sewer easements
- additional signed & recorded offsite sanitary sewer temporary construction easements
- revised IDEM sanitary sewer permit approval #18566RR- dated 12/1/2008
- revised DNR certificate of approval CTS-2537- dated 2/27/2009 (received 3/2/2009)

Mr. Kirk also stated if the Board accepts the revised construction plans today the contractor would be able to apply for their permits through the Highway Department.

Troy DeHart made a motion to approve the revised construction plans for Lone Pine Farms Section, One. Tom Kite seconded the motion and the motion carried unanimously.

Johnson County Planning & Zoning- 1st Reading of the Ordinance Changes for the Placement of Wind Turbines- Dan Batta: Michelle Elsner, Planner, stated she is before the Board today to receive approval on first reading an ordinance amending the zoning ordinance of Johnson County, Indiana to add section 6-101-6.J, Wind Energy Conversion Systems (WECS). Ms. Elsner stated the ordinance received a favorable recommendation from the Plan Commission. Ms. Elsner also stated there have been a couple of people that have interest in building WECS.

Tom Kite made a motion to approve on first reading ordinance number 2009-02, an ordinance amending the zoning ordinance of Johnson County, Indiana to add section 6-101-6.J, Wind Energy Conversion Systems (WECS). Troy DeHart seconded the motion and the motion carried unanimously.

The second reading will be on March 16, 2009.

Johnson County Planning & Zoning- Harvest Grove Commercial Outlots Rezoning- Dan Batta: Michelle Elsner, Planner, stated she is before the Board today to receive approval of the Harvest Grove Commercial outlots rezoning. Ms. Elsner stated this rezoning request is for 2.293 acres. Ms. Elsner stated the request is to rezone from A-1 (Agricultural) to B-1 (Neighborhood Business). Ms. Elsner stated the property is located in White River Township along State Road 135. Ms. Elsner stated Plan Commission gave a favorable recommendation to the rezoning with two conditions. Ms. Elsner stated those conditions are:

1. Extra buffering should be provided to increase screening for the adjoining residential properties
2. Provide a “no access” easement along Lots #1 and #2 at State Road 135

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Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously.

Johnson County Commissioners- Renewal Lease Agreement for the Prosecutor's Office Building- Signatures Requested: Kathleen Hash, County Attorney, stated this renewal lease agreement exercises the Counties first renewal option. Ms. Hash stated the renewal option is for six months. Ms. Hash stated the option is for the dates of March 1, 2009- August 31, 2009. Ms. Hash also stated there are no changes to the original agreement.

Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously.

NEW AND OLD BUSINESS:

Commissioner's Regular Session Minutes 2-23-09-Approval Requested: Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously.

Commissioner's Special Meeting Minutes 2-23-09-Approval Requested: Tom Kite made a motion to approve. John Price seconded the motion. Troy DeHart abstained. The Motion carried two to one.

Commissioner's Regular Session Minutes 3-2-09-Approval Requested: This item was removed from the agenda.

Claims-Approval Requested: Tom Kite made a motion to approve. Troy DeHart seconded the motion and the motion carried unanimously.

John Price, Commissioner, stated the executive session would be held as follows:

- 1) Pursuant to IND. CODE 5-14-1.5-6.1(b)(2)(B), "for discussion of strategy with respect to initiation of litigation or litigation that is either pending or has been threatened specifically in writing."
- 2) Pursuant to IND. CODE 5-14-1.5-6.1(b)(5), "to receive information about and interview prospective employees."
- 4) Pursuant to IND. CODE 5-14-1.5-6.1(b)(9), " to discuss a job performance evaluation of individual employees. this subdivision does not apply to a discussion of the salary, compensation, or benefits of employees during a budget process."

Adjournment: Troy DeHart made a motion to adjourn the meeting. Tom Kite seconded the motion and the meeting was adjourned.

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Pursuant to I.C. 5-14-1.5-6.1, the Johnson County Board of Commissioners held their Executive Session @ 4:00 p.m. or immediately following the conclusion of the public meeting, whichever occurs later, to discuss personnel matters relative to the Board of Commissioners. It is hereby certified by the Johnson County Board of Commissioners that no subject matter was discussed in this executive session other than the subject matter specified in the public notice.

John L. Price

Thomas A. Kite

Troy A. DeHart

ATTEST: _____
Jan Richhart, Auditor