

April 1, 2008

Commissioners met on this day with the following members present: John Richwine and Paul Wilson. Also present were County Auditor Kathy Stoops-Wright, Deputy Auditor Jane Lyons and Commissioners Office Manager Linda Smith.

**IN THE MATTER OF APPROVAL OF MINUTES**

Commissioners approved the minutes for March 17, 2008 and March 18, 2008 upon motions made by John Richwine and seconded by Paul Wilson. Motion carried unanimously.

**IN THE MATTER OF CONCERNS ON ORDINANCE NO 2008-BC-O-04,  
ORDINANCE ESTABLISHING WEIGHT LIMITS ON CR 1100 S**

Lynn Lawyer, Attorney representing several property owners who have concerns on Ordinance No. 2008-BC-O-04, Ordinance Establishing Weight Limits on CR 1100S, that the Commissioners passed at the March 17, 2008 Commissioners meeting, spoke to the Board of Commissioners. Ms. Lawyer told the Commissioners that she was here today to ask them to resend the Ordinance they passed on March 17<sup>th</sup>. She listed several reasons why the Ordinance, that set a 15 ton weight limit on the road, will halt daily living for the property owners on 1100S, and that the KAFO that Josh and Shannon Lawyer are building will have to stop.

Commissioner Wilson and Commissioner Richwine both stated that they understand the arguments of the people who use 1100S but their major concern at this time is the condition of the road and what all the heavy vehicles that are going to the KAFO, will do to the road if there isn't a weight limit set. They stated that there aren't County funds to cover any repairs to that road in the budget for this year. They asked what the property owners had in mind for a solution to the problem.

After a long discussion, the following solution was set:

The Lawyer family agreed to use Hancock County Roads to get to 1100S at Madison County Road 400E for the dump trucks and concrete trucks for the construction of their new hog facility.

Semis delivering slats, beams and building materials for the construction of the new hog facility and for other farm use cannot make those turns and will use 1100S from St Rd 109 for their deliveries without a weight limit.

The County will provide and deliver gravel to 1100S. The Eric Lawyer family will grade the area on 1100S, between Madison County Rd 400E to their driveway which is 5/8 of a mile during the construction period.

The Lawyer family also agreed to pay \$10,000.00 to the County to help pay for the repairs in that 5/8 mile of CR 1100S.

Motion was made by Paul Wilson to resend Ordinance No. 2008-BC-O-04 with the above set solutions in place. Motion seconded by John Richwine. Motion carried unanimously.

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Commissioners asked the audience if anyone was willing to put their name on a list for correspondence from the Commissioners with regards to any future solutions to the 1100S road problem. They received the following names:

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Jeff Huntzinger  
S & H Trucking  
4117 West 300 South  
Anderson, IN 46011

Mike Lawyer  
1163 W U.S. 36  
Pendleton, IN 46064

Jeff Purdue  
4956 W 400 South  
Pendleton, IN 46064

Melissa Krieg  
4786 East 1100 South  
Markleville, IN 46056

Neal Smith  
7055 West 675 South  
Pendleton, IN 46064

Jim Morris  
1180 West 1000 South  
Pendleton, IN 46064

Mike Clegg  
10173 East 1100 North  
Markleville, IN 46056

John Simmermon  
9538 West State Road 32  
Lapel, IN 46051

Crist Blassaras  
60 River Forest  
Anderson, IN 46011

Eric Lawyer  
11655 East 1100 North  
Shirley, IN 47384

Swine Pro 1, LLC  
Josh and Shannon Lawyer  
11655 East 1100 North  
Shirley, IN 47384

James Lawyer  
1241 West 900 South  
Pendleton, IN 46064

Lonnie Krieg  
3229 West Water Street  
Anderson, IN 46011

**IN THE MATTER OF MUNICIPAL LEASE AND OPTION AGREEMENT WITH  
THE MADISON COUNTY SHERIFF DEPARTMENT AND STAR BANK**

Commissioners approved the lease agreement with Star Bank and the Madison County Commissioners for leases on sheriff vehicles. Motion to approve made by Paul Wilson and seconded by John Richwine.

**IN THE MATTER OF RESOLUTION NO. 2008-BC-R-08, A RESOLUTION  
DECLARING STORM WATER AWARENESS MONTH IN MADISON COUNTY**

Motion was made by Commissioner John Richwine and seconded by Paul Wilson to approve Resolution No. 2008-BC-R-08, Declaring Storm Water Awareness Month for April 2008. Motion carried unanimously.

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RESOLUTION NO. 2008-BC-R-08

**RESOLUTION DECLARING STORM WATER AWARENESS  
MONTH THROUGHOUT MADISON COUNTY**

WHEREAS, Madison County believes that citizen awareness of storm water issues is important to the protection of public health, existing water uses, and aquatic biota; and,

WHEREAS, A Memorandum of Understanding (MOU) has been signed by the City of Alexandria, the City of Anderson, the Town of Chesterfield, the Town of Edgewood, the Town of Ingalls, Madison County, Madison County SWCD, and the Town of Pendleton requiring a resolution declaring April to be Storm Water Awareness Month in Madison County.

NOW THEREFORE the following is duly RESOLVED:

1. The month of April is hereby deemed Storm Water Awareness Month throughout Madison County.

DULY PASSED AND ADOPTED BY THE FOLLOWING VOTE OF THE MEMBERS OF SAID BOARD OF COMMISSIONERS OF MADISON COUNTY, INDIANA, THIS 1st DAY OF APRIL, 2008.

ATTEST:

MADISON COUNTY BOARD OF COMMISSIONERS

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Kathy Stoops-Wright,  
Madison County Auditor

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John M. Richwine, President

Prepared by:

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Patricia Dillon, Member

JAMES W. WILSON/#1286-48  
BINGHAM, FARRER & WILSON, P.C

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Attorneys at Law  
P.O. Box 494  
Elwood, IN 46036  
Telephone: (765) 552-9878

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Paul F. Wilson, Member

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**IN THE MATTER OF MEMORANDUM OF UNDERSTANDING FOR PUBLIC EDUCATION AND OUTREACH**

John Richwine made a motion to enter the Memorandum of Understanding for Public Education and Outreach into the records. Motion seconded by Paul Wilson. Motion carried unanimously.

**IN THE MATTER OF MAINTENANCE AGREEMENT WITH MILLER HUGGINS**

Commissioners entered a maintenance agreement with Miller Huggins for the copy machine in the Commissioners office. Motion to approve made by Paul Wilson and seconded by John Richwine. Motion carried unanimously.

**IN THE MATTER OF LEASE AGREEMENT WITH ACSC REGARDING THE RENTAL OF THE ANDERSON WIGWAM FOR VOTING SITE TRAINING**

Commissioners entered a Lease Agreement with ACSC regarding the rental of the Anderson Wigwam for voting site training for the Primary Election. Motion to approve made by Paul Wilson and seconded by John Richwine. Motion carried unanimously.

**IN THE MATTER OF THE MAY 6, 2008 COMMISSIONERS MEETING**

The Commissioners meeting set for May 6, 2008 will be changed to Wednesday, May 7, 2008 at 10:00 a.m. due to the Primary Election and the Courthouse being closed.

The next Commissioners meeting will be April 15, 2008.

There being no further business the meeting was adjourned.

BOARD OF COMMISSIONERS

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