

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JANUARY 5, 2015

The Howard County Board of Commissioners met in Regular Session on Monday, January 5, 2015, at 4:00 p.m., in Hearing Room 338 of the Howard County Administration Center. Those in attendance included President Paul Wyman, Vice President Tyler Moore, and Member Brad Bray. Also in attendance were County Attorney Larry Murrell, Assistant County Attorney Alan Wilson, and Auditor Martha Lake.

The meeting was called to order by Sheriff Steve Rogers and conducted by President Wyman. Commissioner Bray led in the Pledge of Allegiance and Commissioner Moore offered a word of prayer.

IN THE MATTER OF BOARD REORGANIZATION:

A motion was made by Mr. Moore to appoint Mr. Paul Wyman as President of the Board of Commissioners for 2015. The motion was seconded by Mr. Bray and carried. Mr. Wyman continues to be the President of the Board of Commissioners.

A motion was made by Mr. Bray to appoint Mr. Tyler Moore as Vice President of the Board of Commissioners for the year 2015. Mr. Wyman vacated the chair to second the motion and the motion carried. Mr. Moore continues as the Vice President of the Board of Commissioners.

IN THE MATTER OF APPROVAL OF MINUTES:

Approval of the minutes of the December 29, 2014 meeting is tabled until the January 20th Regular Meeting.

IN THE MATTER OF SPECIAL RECOGNITION:

Mr. Wyman asked former Center Township Trustee Jean Lushin and his wife Sondra to step to the podium. Mr. Lushin was the Center Twp. Trustee for thirty-two and a half (32 ½) years and has now retired from that position. Center Township, many times through the years, has partnered with county government. One of the biggest joint projects was for the Jackson Street Veteran Housing project. Mr. Moore spoke to events that have been partnered with county government, and of the friendship between the two families for many years. Mr. Bray also thanked Mr. Lushin for his service and for all the times Mr. Bray has worked with him through the years. At this time the Board of Commissioners presented the Pillar of the Community Award to Mr. Jean Paul Lushin for his service to Center Township and Howard County. Applause was given, pictures were taken, and Mr. Lushin thanked the Commissioners for the award.

IN THE MATTER OF DEPARTMENTAL REPORTS:

PLAN COMMISSION:

1) Plan Commission Director Greg Sheline submitted Ordinance No. 2014-BCCO-39, a request to re-zone property located at 2509 E. Markland Avenue from VR (Village Residential) to C2 (Medium-Large Scale Commercial), owned by Mr. Mike Imbler. There being no remonstrance to this request, a motion was made by Mr. Moore to approve Ordinance No. 2014-BCCO-39, re-zoning property located at 2509 E. Markland Avenue, Kokomo, from Village Residential to Medium – Large Scale Commercial. The motion was seconded by Mr. Bray and carried.

2) Mr. Sheline submitted Ordinance No. 2014-BCCO-40, amending Ordinance 2009-BCCO-21, Flood Hazard areas for Howard County, Indiana, in order to match the new flood maps. The amended Ordinance and maps need to be adopted in February, 2015 by FEMA. This revision of the flood hazard areas will also help keep insurance rates low. There are not many changes in the actual maps but two very important changes are: (1) more water storage in the flood plain; and (2) no critical facilities can be put in the flood plain. If approved, this Ordinance will go to the City of Kokomo this month, for their approval. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve Ordinance No. 2014-BCCO-40, amending Ordinance No. 2009-BCCO-21. Mr. Wyman thanked Mr. Sheline and all those who worked on this amendment.

3) Ordinance No. 2014-BCCO-41 was submitted and Mr. Wyman outlined the changes that were made to the original ordinance (2009-BCCO-19) as follows:

1. Amending Article 5.66(D) and 5.67(G)(1) to change the set back from 1500 feet to 2000 feet from the nearest Occupied Building.

2. Recommends that the sound standard for a medium and large Wind Energy Facility as set out in Article 5.67(P)(1) be amended to not exceed 40 DBA, rather than 50, as measured at the exterior of any Occupied Building or non-participating landowner's property.
3. Recommends that all large wind turbines be placed under Special Exception uses in all zones which have medium and large Wind Energy Facilities in the Howard County Zoning Ordinance.
4. Recommends that Article 5/67(P) be amended to add: "(3) Light shields shall be placed on all exterior lights."

Mr. Wyman opened the floor for public comment as follows:

Grace Aprill, 12765 East County Road 100 North, Greentown, Indiana
Roger Lee, Converse, Indiana
Joe Rousseau, 1348 North County Road 800 East, Greentown, Indiana
Tom Cornell, 3631 North County Road 900 East, Greentown, Indiana

At the conclusion of discussion and comment a motion was made by Mr. Moore to approve Ordinance No. 2014-BCCO-41, amending the Zoning Ordinance with respect to Wind Energy Facilities, Ordinance No. 2009-BCCO-19. The motion was seconded by Mr. Bray and carried.

At this time the Regular meeting was recessed in order to hold a previously scheduled Public Hearing for an Unsafe Property located at 1040 South Emery Street.

Mr. Greg Sheline reminded the Commissioners that this unsafe property caught fire several months ago, and has been vacant since that time. All notices have been sent to surrounding property owners and no response has been received. The owners or any representatives of the owners (Harbour Portfolio VII, LP) are not in attendance at this Hearing, and no public comment from any interested party was given. Attorney Murrell submitted Resolution No. 2015-BCCR-1, affirming the May 22, 2014 Order on Unsafe Premises issued by the Enforcement Authority. This also grants final authority to the Enforcement Authority to demolish, remove, and clean up all structures remaining on the property. The costs of demolition and removal shall become a lien on the premises. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve Resolution No. 2015-BCCR-1.

The Public Hearing was closed and the Regular meeting was reconvened at 5:00 p.m. on a motion made by Mr. Moore and seconded by Mr. Bray.

DEPARTMENTAL REPORTS:

KINSEY YOUTH CENTER

On behalf of Kinsey Director Jeff Lipinski, Attorney Larry Murrell submitted a renewal of the contract between Howard County and Abel Screening, Inc. (ASI) for The Diana Screen Access License and Testing Services. This testing is used for screening purposes of Kinsey Youth Center applicants. The effective date of the agreement is 1/1/15 to 12/31/17. Mr. Murrell has reviewed the contract and made suggestions for changes, but does not have an amended copy of the contract at this time. He recommends that the Commissioners approve the contract and authorize the President to sign the amended agreement when it is received. A motion was made by Mr. Moore to approve The Diana Screen Access License and Testing Service Agreement with Abel Screening, Inc., and authorize President Wyman to sign the amended agreement on behalf of the Board of Commissioners. The motion was seconded by Mr. Bray and carried.

PERSONNEL:

- 1) Personnel Director Wanda McKillip submitted Commissioner Appointments as follows:

A motion was made by Mr. Bray to re-appoint Ms. Katherine White and Mr. Mark Kady to the Greentown Public Library for four (4) year terms ending 12/31/2018. The motion was seconded by Mr. Moore and carried.

EXHIBIT A

AN ORDINANCE OF THE HOWARD COUNTY BOARD OF COMMISSIONERS INITIATING A PROPOSAL TO AMEND THE HOWARD COUNTY ZONING ORDINANCE WITH RESPECT TO WIND ENERGY FACILITIES

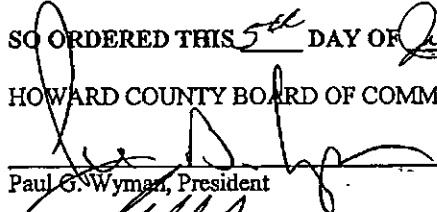
WHEREAS, the Howard County Board of Commissioners referred to the Howard County Plan Commission on August 14, 2014, and directed the Plan Commission to prepare a proposal to amend Sections 5.65 through 5.67 of the Howard County Zoning Ordinance in certain specified respects relating to Wind Energy Facilities, and

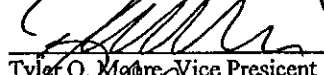
WHEREAS, the Howard County Plan Commission held a hearing on December 16, 2014, and makes the following proposal:


1. The Plan Commission recommends no changes be made to Article 5.65 concerning Small Wind Facilities.
2. The Plan Commission recommends amending Article 5.66(D) and 5.67(G)(1) to change the set back from 1500 feet to 2000 feet from the nearest Occupied Building.
3. The Plan Commission recommends that the sound standard for a medium and large Wind Energy Facility as set out in Article 5.67(P)(1) be amended to not exceed 40 dBA, rather than 50, as measured at the exterior of any Occupied Building on a non-participating landowner's property.
4. The Plan Commission recommends that all large wind turbines be placed under special exception uses in all zones which have medium and large Wind Energy Facilities in the Howard County Zoning Ordinance.
5. The Plan Commission recommends that Article 5.67(P) be amended to add: "3) Light shields shall be placed on all exterior lights."

SO ORDERED THIS 5th DAY OF January, 2015.

HOWARD COUNTY BOARD OF COMMISSIONERS


Paul G. Wyman, President


Tyler O. Moore, Vice President


Robert B. Bray, Member

ATTEST:


Martha J. Lake, Howard County Auditor

