

Barlene

ORDINANCE VACATING PUBLIC ALLEYWAY

BE IT ORDAINED by the County of Hendricks, Indiana, that:

WHEREAS, Robert A. Goodlet and Shirley J. Goodlet, husband and wife, have filed their Petition to Vacate a certain Alleyway with the Clerk of the Board of Commissioners of Hendricks County, Indiana, pursuant to statute; and

WHEREAS, notice has been given by certified mail, return receipt requested, to each owner of the land that abuts the property proposed to be vacated; and

WHEREAS, notice of publication has been given as prescribed by I.C. 5-3-1, and the proof of publication having been filed with the Clerk of the Board of Commissioners of Hendricks County, Indiana; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana, having held a public hearing on such "Petition to Vacate Alleyway" on Monday, December 18, 1995 at 1:00 p.m.; and

WHEREAS, after reviewing all of the pertinent facts relative to the request of the "Petition to Vacate Alleyway" and all interested persons having had an opportunity to be heard at the public hearing;

NOW, THEREFORE, by the powers vested in the Board of Commissioners of Hendricks County, Indiana, pursuant to I.C. 36-7-3-12, is hereby ordered and ordained that the relief requested in said "Petition to Vacate Alleyway" is now granted.

IT IS, THEREFORE, ORDERED AND ORDAINED that the following alleyway heretofore platted be, and the same are hereby vacated which alleyway is more particularly described as follows, to-wit: Alley fifteen feet (15') wide lying immediately west of Lot 10 in Western Addition to the Town of Belleville, Hendricks County, Indiana.

IT IS FURTHER ORDAINED AND ORDERED that the Clerk of the Board of Commissioners of Hendricks County, Indiana, shall furnish a copy of this Ordinance to the County Recorder for recording, and to the County Auditor, all pursuant to the provisions of I.C. 36-7-3-12.

1996

1999.

THIS ORDINANCE ADOPTED THIS 16 DAY OF January

BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA

Richard P. Myers

RICHARD P. MYERS

Hurzel Disney

HURSEL DISNEY

John Clampitt

JOHN CLAMPITT

ATTESTED BY:

Judith A. Ayers

CLERK OF THE BOARD OF
COMMISSIONERS OF HENDRICKS COUNTY

This instrument prepared by Lee T. Comer, attorney-at-law, P.O. Box 207, Danville, IN 46122; 317-745-4300.

ORDINANCE NO. 96-3

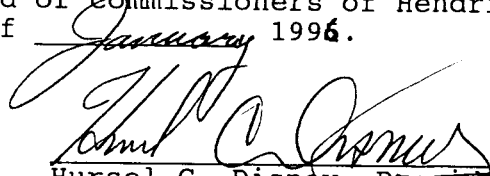
AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO A C-4: HIGHWAY COMMERCIAL, DISTRICT. COMMONLY KNOWN AS **ZA-113/LB96-02: KEVIN & KIMBERLY STURGEON** LIBERTY TOWNSHIP, ONE (1) PARCEL TOTALING 1.16 ACRES, LOCATED ON THE SOUTHEAST CORNER OF U.S. HIGHWAY 40 AND COUNTY ROAD 400 EAST.

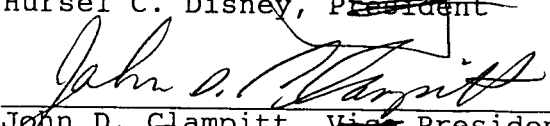
Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: **KEVIN & KIMBERLY STURGEON**, S5-T14N-R1E. 1.16 acres, Liberty Township, located on the southeast corner of U. S. Highway 40 and County Road 400 East. See attached legal description.

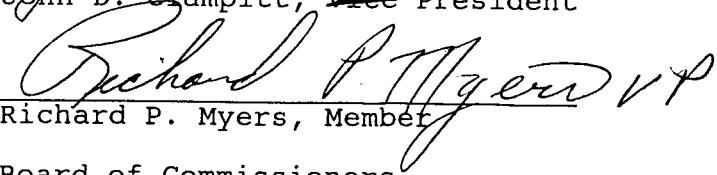
Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 21 day of January 1996.



Hursel C. Disney, ~~President~~


John D. Clampitt, ~~Vice President~~


Richard P. Myers, Member

Board of Commissioners

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 96-4

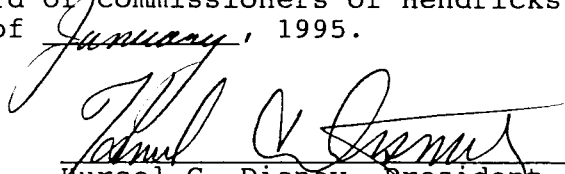
AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO A R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT. COMMONLY KNOWN AS **ZA-115/WA96-02: REPUBLIC DEVELOPMENT CORPORATION** WASHINGTON TOWNSHIP ONE(1) PARCEL TOTALING 20.66 ACRES, LOCATED ON THE EAST SIDE OF COUNTY ROAD 625 EAST, 0.25 MILE SOUTH OF COUNTY ROAD 150 SOUTH.

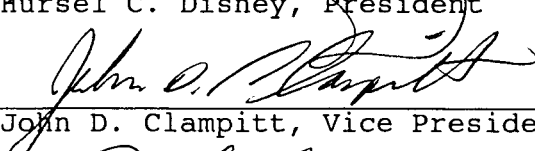
Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the R-2: Medium Density, Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: **REPUBLIC DEVELOPMENT CORPORATION**, S15 T15N-R1E. 20.66 acres, WASHINGTON Township, located on the East side of County Road 625 east, .25 miles South of County Road 150 South. See attached legal description.

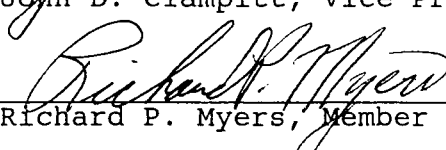
Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 21 day of January, 1995.

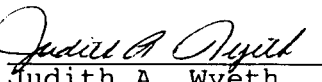

Hursel C. Disney, President


John D. Clampitt, Vice President


Richard P. Myers, Member

Board of Commissioners

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 96-5

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO A R-5: HIGH DENSITY, MULTIFAMILY RESIDENTIAL DISTRICT AND A C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS **ZA-117/WA96-04: WILLIAM A. SCHMADEKE** WASHINGTON TOWNSHIP 54.22 ACRES, LOCATED ON THE EAST SIDE OF COUNTY ROAD 800 EAST AND 0.25 MILE NORTH OF COUNTY ROAD 100 SOUTH.

Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the R-5: High Density, Multifamily Residential District and a C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: **WILLIAM A. SCHMADEKE**, S12-T15N-R1E, 54.22 acres, Washington Township, located on the east side of County Road 800 East and 0.25 mile north of County Road 100 South. See attached legal description.

Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 20 day of February 1996

Hursel C. Disney, President

John D. Clampitt, Vice President

Richard P. Myers, Member

Board of Commissioners

Attest:

Judith A. Wyeth
Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 96-4

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A C-2: GENERAL COMMERCIAL DISTRICT, TO A C-4: HIGHWAY COMMERCIAL DISTRICT. COMMONLY KNOWN AS **ZA-116/WA96-03: TIMBERLAND HOMES, INC.** WASHINGTON TOWNSHIP 3.09 ACRES, LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 40 AND 0.61 MILE WEST OF COUNTY ROAD 1050 EAST.

Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: **TIMBERLAND HOMES, INC.** 3.09 acres, Washington Township, located on the north side of U.S. Highway 40 and 0.61 mile west of County Road 1050 East. See attached legal description.

Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 20 day of February, 1996.

Hursel C. Disney, President

John D. Clampitt, Vice President

Richard P. Myers, Member

Board of Commissioners

Attest:

Marthalyn Pearcy
Marthalyn Pearcy
Special Deputy Auditor

ORDINANCE NO. 96-7

AN ORDINANCE AMENDING
THE HENDRICKS COUNTY INDIANA ZONING ORDINANCE
BY ADDING LANGUAGE TO CORRECT AN AMBIGUITY
IN SUB-SECTIONS 2 AND 4

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana adopted the Hendricks County Zoning Ordinance on November 18, 1991 and became effective January 1, 1992;

WHEREAS, the Hendricks County Area Plan Commission found that the language of subsections 2 and 4 of each chapter listed below could be construed as contradictory;

WHEREAS, the Hendricks County Area Plan Commission found that the original intent of the ordinance was to permit similar uses in zoning classifications consistent with subsection 4 of each chapter.

WHEREAS, the Hendricks County Area Plan Commission has recommended that the zoning ordinance be amended by adding language to correct an ambiguity in sub-sections 2 and 4;

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment and voted to forward a favorable recommendation to the Board of County Commissioners; and

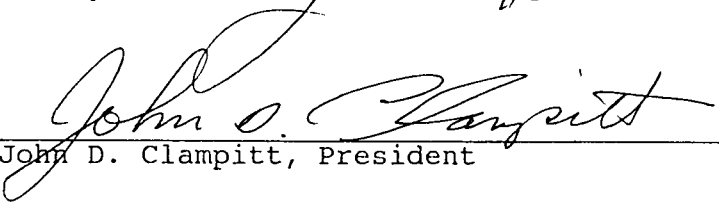
WHEREAS, the Board of County Commissioners have received and reviewed the Plan Commission recommendations, and find that the adoption of the recommended amendment would promote the health, safety, and convenience of the people of Hendricks County.

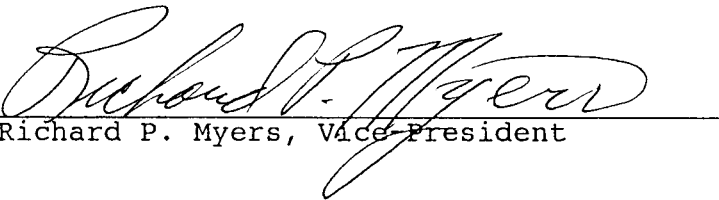
NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

Section 1. The language "or similar uses consistent with the purposes of the Chapter" shall be added to Chapters and subsections 9.2, 10.2, 11.2, 12.2, 13.2, 14.2, 15.2, 16.2, 17.2, 18.2, 20.2, 21.2, 22.2 and 23.2.

Section 2. This Ordinance shall be in full force and effect from after its passage and approval and publication according to law.

APPROVED, by the Board of Commissioners of Hendricks County,
Indiana, this 20 day of February 19 96.


John D. Clampitt, President


Richard P. Myers, Vice-President

Hursel C. Disney, Member

BOARD OF COMMISSIONERS

ATTEST:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 26-8

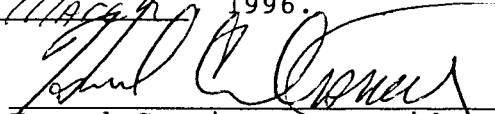
AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A R-1: LOW DENSITY, SINGLE FAMILY DISTRICT, TO A C-4: HIGHWAY COMMERCIAL DISTRICT. COMMONLY KNOWN AS **ZA-112/LB96-01: JOHN HALL** WASHINGTON TOWNSHIP ONE (1) PARCEL TALLING 30.00 ACRES, LOCATED ON THE WEST SIDE OF STATE ROAD 39, 0.85 MILE SOUTH OF U.S. HIGHWAY 40.


Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: **JOHN HALL**, S11-T15N-R1W. 30.00 acres, Liberty Township, located on the west side of State Road 39, 0.85 mile south of U.S. Highway 40. See attached legal description.

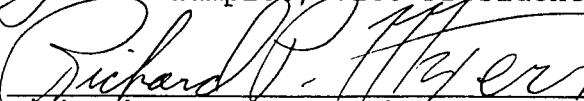
Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 14 day of March 1996.



Mursel C. Disney, President


John D. Clampitt, Vice President


Richard P. Myers, Member

Board of Commissioners

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 96-9


AN ORDINANCE TO AMEND THE ZONING MAP OF
HENDRICKS COUNTY, FROM AN I-2: LIGHT INDUSTRIAL
DISTRICT, TO A C-2: **GENERAL COMMERCIAL DISTRICT**
LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 36 AND 0.25
MILE EAST OF COUNTY ROAD 900 EAST, PROPERTY KNOWN AS
9215 EAST U.S. HIGHWAY 36.

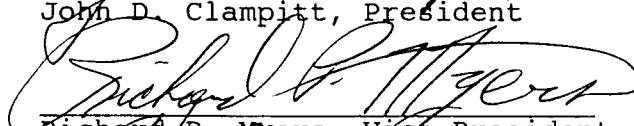
Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the **C-2: GENERAL COMMERCIAL** District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-118/WA96-05: B. & E. Construction; the north 300 feet of a 4.7 acres, Washington Township, located on the south side of U.S. Highway 36 and 0.25 mile east of County Road 900 East, property known as 9215 East U.S. Highway 36. See attached legal description.

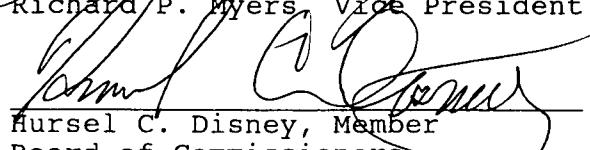
Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

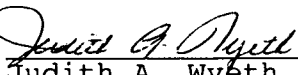
Approved by the Board of Commissioners of Hendricks County, Indiana, the 18 day of March, 1996.


John D. Clampitt, President


Richard P. Myers, Vice President


Hursel C. Disney, Member
Board of Commissioners

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 96-10

AN ORDINANCE TO AMEND THE ZONING MAP OF
HENDRICKS COUNTY, FROM AN R-2: MEDIUM DENSITY, SINGLE
FAMILY RESIDENTIAL DISTRICT, TO A C-2: GENERAL
COMMERCIAL DISTRICT, LOCATED ON THE SOUTH EAST CORNER
OF COUNTY ROAD 100 SOUTH AND COUNTY ROAD 800 EAST.

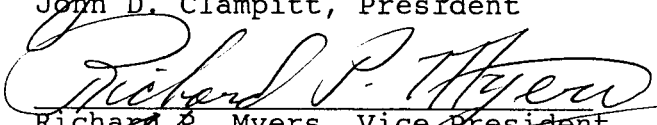
Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the **C-2: GENERAL COMMERCIAL District**, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-119/WA96-06: John Lazaro, Jr.; 2.41 acres, Washington Township, located on the south east corner of County Road 100 South and County Road 800 East. See attached legal description.

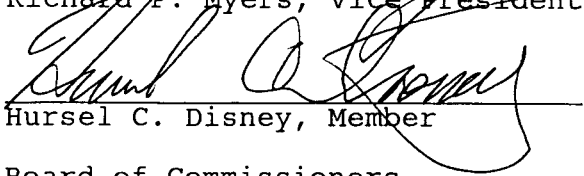
Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 18 day of March, 1996.


John D. Clampitt, President


Richard P. Myers, Vice President


Hursel C. Disney, Member

Board of Commissioners

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 96-11

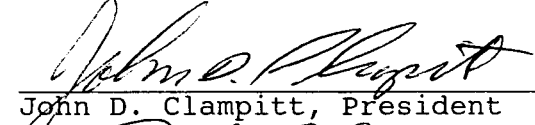
AN ORDINANCE TO AMEND THE ZONING MAP OF
HENDRICKS COUNTY, FROM AN R-1: LOW DENSITY, SINGLE
FAMILY RESIDENTIAL DISTRICT, TO A R-2: MEDIUM DENSITY,
SINGLE FAMILY RESIDENTIAL DISTRICT LOCATED ON THE
EAST SIDE OF COUNTY ROAD 150 EAST AND 0.15 MILE NORTH
OF COUNTY ROAD 200 SOUTH.

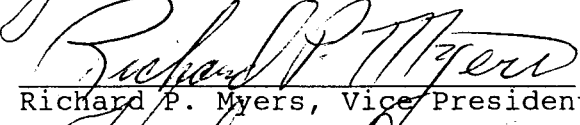
Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the R-2: Medium Density, Single Family District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-121/CE96-01: Habitat For Humanity; 5.00 acres, Center Township, located on the east side of County Road 150 East and 0.15 mile north of County Road 200 South. See attached legal description.

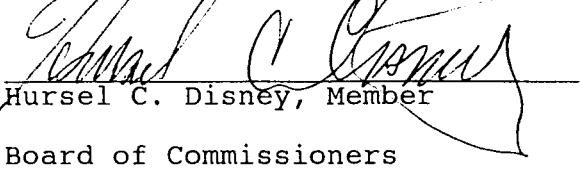
Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 18th day of March, 1996.

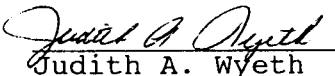

John D. Clampitt, President


Richard P. Myers, Vice President


Hursel C. Disney, Member

Board of Commissioners

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 96-12

AN ORDINANCE TO AMEND THE
HENDRICKS COUNTY INDIANA ZONING ORDINANCE
BY AMENDING CHAPTER 10 TO INCLUDE SECTION 10.7

WHEREAS, the Board of County Commissioners of Hendricks County Indiana, adopted the Hendricks County Zoning Ordinance on November 18, 1991 and which became effective on January 1, 1992;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Zoning Ordinance be amended by amending Chapter 10 to include Section 10.7;

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment and voted to forward a favorable recommendation to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners have received and reviewed the Plan Commission recommendations, and find that the adoption of the recommended amendment would promote the health, safety and convenience of the people of Hendricks County;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

Section 1. Amendment of Chapter 10 to include Section 10.7 as follows:

10.7 ALTERNATIVE DEVELOPMENT STANDARDS

Up to thirty (30) percent of the number of lots found in a R-2 major subdivision may be developed in accordance with alternative standards which are as follows:

A. Density

2.95 lots per acre,
maximum total development

B. Minimum Lot Area

With centralized water and
sewerage treatment: 9,500 square feet

C. Minimum Lot Width

With centralized water and
sewerage treatment: 72 feet

D. Maximum Lot Coverage

1. Principal building: 40 percent
2. Accessory building: 3 percent or 600 square feet, whichever is greater

E. Maximum Lot Depth to Width Ratio: 3:1

F. Minimum Ground Floor Area

1. Single story building: 1,040 square feet
2. Multistory building: 800 square feet
(1,040 square feet
total net floor area)

G. Maximum Building Height

1. Principal building: Three (3) stories or
forty (40) feet
2. Accessory building: Eighteen (18) feet

H. Minimum Front Yard Setback

Principal and Accessory Building: Setback
From R/W

- a. Rural Minor Arterial: 50 feet
- b. Rural Major Collector: 40 feet
- c. Rural Minor collector: 35 feet
- d. Rural Local Road: 30 feet
- e. Subdivision Road: 25 feet

I. Minimum Side Yard Setback

Principal and Accessory Building

- a. One side yard: 8 feet
- b. Sum of side yards: 20 feet

J. Minimum Rear Setback

Principal and Accessory Building: 10 feet

K. Minimum Off-Street Parking and Loading Requirements

As regulated by Chapter 28

L. Sign Requirements

As regulated by Chapter 29

M. Landscaping and Screening

Required between any existing single family residential development or tracts and the proposed development, as agreed upon by the Hendricks County Area Plan Commission and the developer

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval and publication according to law.

APPROVED, by the Board of Commissioners of Hendricks County, Indiana, this 25 day of March 19 96.

John D. Clampitt
John D. Clampitt, President

Richard P. Myers
Richard P. Myers, Vice-President

Mursel C. Disney
Mursel C. Disney, Member

BOARD OF COMMISSIONERS

ATTEST:

Judith A. Wyeth
Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1996-13

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, AN R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO A C-2: GENERAL COMMERCIAL DISTRICT AND A C-4: HIGHWAY COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-123/WA96-07: SANDERS DEVELOPMENT GROUP, WASHINGTON TOWNSHIP, 93.7 ACRES, LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 36 AND 0.25 MILE EAST OF COUNTY ROAD 900 EAST.

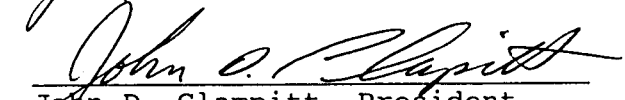
Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the C-2: General Commercial District and the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-123/WA96-07: SANDERS DEVELOPMENT GROUP, S6-T15N-R2E. 93.7 acres, Washington Township, located on the north side of U.S. Highway 36 and 0.25 mile east of County Road 900 East. See attached legal description.

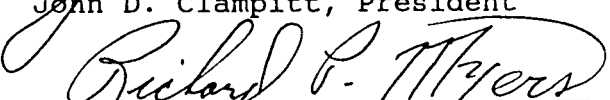
Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

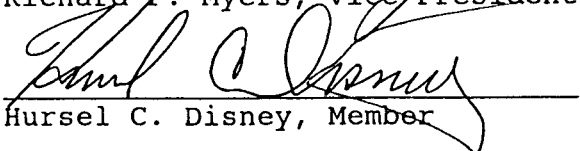
Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 15 day of April, 1996.

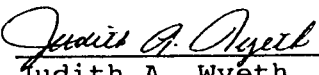
Board of Commissioners:


John D. Clampitt, President


Richard P. Myers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

LAND DESCRIPTION
(PROPOSED "C-4" REZONING)

A part of the South Half of fractional Section 6, Township 15 North, Range 2 East of the Second Principal Meridian in Washington Township, Hendricks County, Indiana and being more particularly described as follows, to-wit:

Commencing at a brass plug found marking the South half mile corner of said Section; thence South 88 degrees 14 minutes 26 seconds West (assumed bearing) on and along the South line of said Half Section 924.14 feet to a point that is North 88 degrees 14 minutes 26 seconds East 928.30 feet from a brass plug found marking the Southwest corner of said fractional Section; thence North 00 degrees 27 minutes 00 seconds West 81.88 feet to a point on the North Right-of-Way of U.S. Highway 36; thence continuing North 00 degrees 27 minutes 00 seconds West 1330.00 feet to the POINT OF BEGINNING of this description; thence continuing North 00 degrees 27 minutes 00 seconds West 1227.55 feet to a stone found set by Job Hadley on September 8, 1949 as the Northwest corner of the Northeast Quarter of the Southwest Quarter of said fractional Section; thence North 87 degrees 47 minutes 17 seconds East on and along the North line of the South Half of said fractional Section 1592.44 feet; thence South 00 degrees 32 minutes 17 seconds East 1227.49 feet; thence South 87 degrees 47 minutes 17 seconds West parallel with said North line 1594.33 feet to the POINT OF BEGINNING and containing 44.88 acres, more or less. Subject to all Restrictions, Rights-of-Way and Easements of Record.

96-03-088

LAND DESCRIPTION
(PROPOSED "C-2" REZONING)

A part of the South Half of fractional Section 6, Township 15 North, Range 2 East of the Second Principal Meridian in Washington Township, Hendricks County, Indiana and being more particularly described as follows, to-wit:

SE CORNER OF SW 1/4 SEC. 6
Commencing at a brass plug found marking the South half mile corner of said Section; thence South 88 degrees 14 minutes 26 seconds West (assumed bearing) on and along the South line of said Half Section 924.14 feet to a point that is North 88 degrees 14 minutes 26 seconds East 928.30 feet from a brass plug found marking the Southwest corner of said fractional Section; thence North 00 degrees 27 minutes 00 seconds West 81.88 feet to a point on the North Right-of-Way of U.S. Highway 36, said point also being the POINT OF BEGINNING of this description; thence continuing North 00 degrees 27 minutes 00 seconds West 1330.00 feet; thence North 87 degrees 47 minutes 17 seconds East parallel with the North line of said Half Fractional Section 1594.33 feet; thence South 00 degrees 32 minutes 17 seconds East 1340.72 feet to a point on the North Right-of-Way of U.S. Highway 36; thence South 88 degrees 10 minutes 30 seconds West on and along said Right-of-Way 419.10 feet; thence South 89 degrees 36 minutes 26 seconds West on and along said Right-of-Way 200.06 feet; thence South 88 degrees 10 minutes 30 seconds West on and along said Right-of-Way 178.94 feet; thence South 88 degrees 10 minutes 30 seconds West on and along said Right-of-Way 321.06 feet; thence South 87 degrees 13 minutes 13 seconds West on and along said Right-of-Way 300.04 feet; thence South 88 degrees 10 minutes 30 seconds West on and along said Right-of-Way 177.00 feet to the POINT OF BEGINNING and containing 48.80 acres, more or less. Subject to all Restrictions, Rights-of-Way and Easements of Record.

ORDINANCE NO. 1996-15

ORDINANCE VACATING PUBLIC ALLEYWAYS

BE IT ORDAINED by the County of Hendricks, Indiana, that:

WHEREAS, Mary V. Bartley and Karen Malicoat, have filed their Petition to Vacate a certain Alleyways with the Clerk of the Board of Commissioners of Hendricks County, Indiana, pursuant to statute; and

WHEREAS, notice has been given by certified mail, return receipt requested, to each owner of the land that abuts the property proposed to be vacated; and

WHEREAS, notice of publication has been given as prescribed by I.C. 5-3-1, and the proof of publication having been filed with the Clerk of the Board of Commissioners of Hendricks County, Indiana; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana, having held a public hearing on such "Petition to Vacate Alleyways" on Monday, February 5, 1996 at 1:00 p.m.; and

WHEREAS, after reviewing all of the pertinent facts relative to the request of the "Petition to Vacate Alleyways" and all interested persons having had an opportunity to be heard at the public hearing;

NOW, THEREFORE, by the powers vested in the Board of Commissioners of Hendricks County, Indiana, pursuant to I.C. 36-7-3-12, is hereby ordered and ordained that the relief requested in said "Petition to Vacate Alleyways" is now granted.

IT IS, THEREFORE, ORDERED AND ORDAINED that the following alleyway heretofore platted be, and the same are hereby vacated which alleyway is more particularly described as follows, to-wit:

A ten foot (10') platted alleyway lying on and along the south line of lots 17, 18 and 19 as shown in the Plat Records of the Auditor of Hendricks County, Indiana and lying between County Road 450 West to the west and running east to Middle Street. Also, a ten foot (10') platted alleyway lying along the east line of lots 16 and 17 and the west line of lot 18 as shown in the Plat Records of the Auditor of Hendricks County, Indiana and lying between South Street to the north and the southeast corner of Lot 17 and the southwest corner of Lot 18.

DULY ENTERED FOR TAXATION

MAY 01 1996

Mary Jane Russell
AUDITOR HENDRICKS COUNTY

9600008901
Filed for Record in
HENDRICKS COUNTY IN
JOY BRADLEY
On 05-01-1996 At 09:56 am.
NCVA :00
Vol. 349 Page 423-428

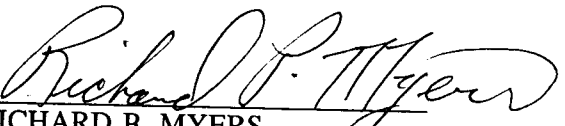
BOOK 349 PAGE

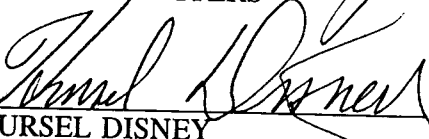
423

IT IS FURTHER ORDAINED AND ORDERED that the Clerk of the Board of Commissioners of Hendricks County, Indiana, shall furnish a copy of this Ordinance to the County Recorder for recording, and to the County Auditor, all pursuant to the provisions of I.C. 36-7-3-12.

THIS ORDINANCE ADOPTED THIS 5th DAY OF February, 1996.

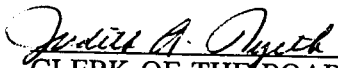
BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA


RICHARD P. MYERS


HURSEL DISNEY


JOHN CLAMPITT

ATTESTED BY:


CLERK OF THE BOARD OF
COMMISSIONERS OF HENDRICKS COUNTY

PETITION TO VACATE ALLEYWAYS

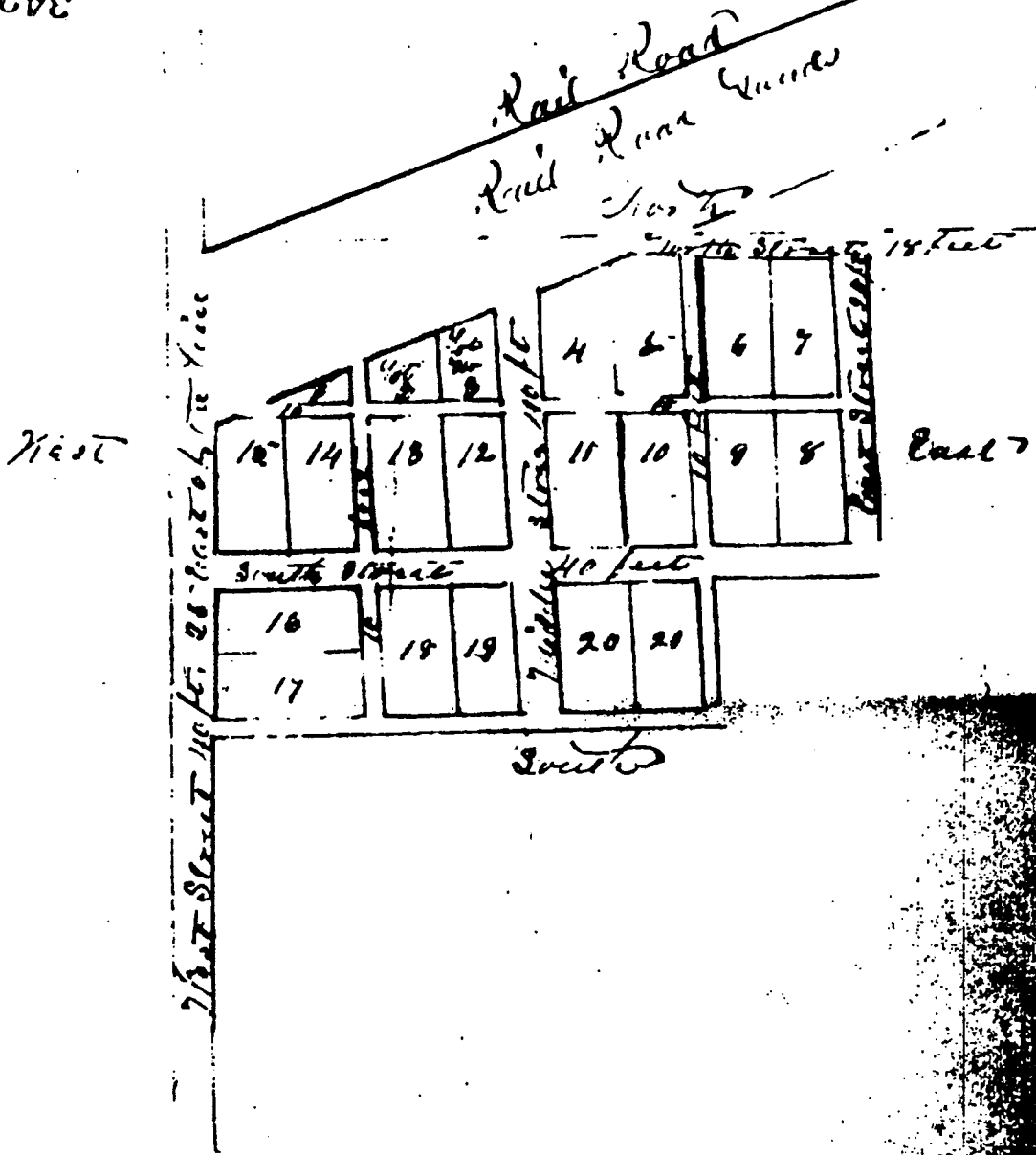
Mary V. Bartley is the owner of lots 16, 17, 18 and 19 in the Original Town of Hadley, Hendricks County, Indiana. It is the intent of said owner to sell the property to her daughter, Karen Malicoat, who joins in this Petition. It is the desire of both Petitioners to vacate two (2) alleyways that lie adjacent to the previously described property. The south line of lots 17, 18 and 19 lies adjacent to a ten (10) foot platted alleyway as shown in the Plat Records of the Auditor of Hendricks County, Indiana. Petitioners wish to vacate this alleyway from County Road 450 West to the west and running east to Middle Street. Also, an alleyway lies along the east line of lots 16 and 17 and the west line of lot 18. Petitioners wish to vacate this alleyway between South Street to the north and the southeast corner of Lot 17 and the southwest corner of Lot 18. Although the existence of said alleyways appears in said plat records, the ground is unimproved as an alleyway.

Respectfully submitted,

Mary V. Bartley
MARY V. BARTLEY, Petitioner

Karen Malicoat
KAREN MALICOAT, Petitioner

Amy Comer Broderick
AMY COMER BRODERICK
Counsel for Petitioners



This is from plat Book

Amendment to Hendricks County
Ordinance No. 1979 9

Ordinance No. 96- 16

WHEREAS the Hendricks County Commissioners find it necessary to regulate the disposal of refuse in Hendricks County; and

WHEREAS, Hendricks County relies on the expertise of the Indiana Department of Environmental Management in developing statewide rules regarding the disposal of refuse; and

WHEREAS, the Indiana Department of Environmental Management has authorized the use of alternative daily cover materials; and

WHEREAS, from time to time it becomes necessary to amend an existing ordinance; and

WHEREAS, after having a public hearing to hear public testimony regarding this amendment; now

THEREFORE, the Hendricks County Commissioners do hereby amend Ordinance No. 1979 9, Chapter III, Section 14 (Cover Applications) (a) and (b) to read as follows:

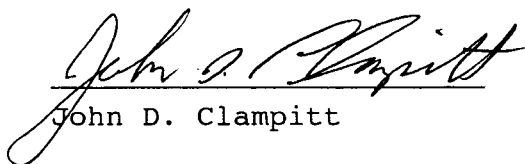
Section 14 (Cover Applications) The disposed solid waste must be covered with six (6) inches of earthen material at the end of each operating day, or at more frequent intervals if necessary to control vectors, fire, odor, blowing litter, and scavenging. An alternative cover material such as FABRISOIL cover or equivalent, or other materials as approved by the Indiana Department of Environmental Management in lieu of soil to cover the landfill working face on a daily basis.

(a) Equipment shall spread all solid waste in layers, and compact the waste. The equipment shall place, spread and compact the cover material unless an alternative daily cover material is utilized. The alternative daily cover material shall be placed over the daily working surface at the end of the day and must be secured in place to prevent blowing. If vectors become a problem while using alternative daily cover, the landfill must return to using the six (6) inches of earthen material.

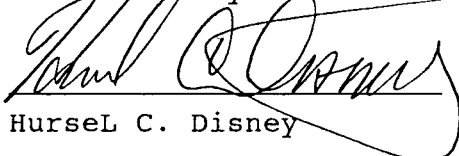
(b) All solid waste shall be covered by the end of each operating day. Daily cover shall be applied regardless of weather. The thickness of the compacted daily cover shall not be less than six (6) inches unless an alternative daily cover material is used.

Approved this 15th day of April, 1996.

COMMISSIONERS


John D. Clampitt

Richard P. Myers


HurseL C. Disney


ATTEST: JUDY WYETH

A SPECIAL ORDINANCE CONCERNING THE COUNTY CORRECTIONS FUND

WHEREAS, SEA 395, (1986) AN ACT to amend the Indiana Code concerning corrections, added I.C. 11-12-6 to the Indiana Code to provide for the establishment and funding of a county corrections fund; and

WHEREAS, I.C. 11-12-6-6 provides that a county legislative body may annually adopt an ordinance to elect to receive deposits from the State Department of Correction and to establish a county corrections fund; and

WHEREAS, the Hendricks County Board of Commissioners held a public meeting on Monday, April 22, 1996, at 1:00 P.M. in the Commissioners' Room on the first floor of the Hendricks County Government Center, and

WHEREAS, the county corrections fund may be used only for funding the operation of the county jail, jail programs, or other local correctional facilities; and

WHEREAS, the county legislative body may elect to receive deposits at either Level 1, Level 2 or Level 3 funding; and

WHEREAS, Level 3 is at the most appropriate level of participation for Hendricks County; therefore;

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY:

SECTION 1. Hendricks County Board of Commissioners hereby elect to receive deposits from the Department of Correction in accordance with I.C. 11-12-6.

SECTION 2. Hendricks County Board of Commissioners hereby elect to receive such deposits at Level 3 funding.

SECTION 3. There is hereby created a "county corrections fund", to be administered by the Hendricks County Council. The fund shall consist of deposits received from the Department of Correction in accordance with I.C. 11-12-6.

SECTION 4. The County Corrections fund may be used only for funding the operation of the county jail, jail programs, or other local correctional facilities. Any money remaining in a county corrections fund at the end of the year does not revert to any other fund but remains in the county corrections fund.

SECTION 5. This ordinance shall be in full force and effect upon passage.

DATED April 22, 1996

ATTEST: James A. Dwyer
Secretary

John D. Clappitt
Richard P. Myers
Hursel C. Disney

BOARD OF HENDRICKS COUNTY
COMMISSIONERS

ORDINANCE NO 96-18

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM AN I-2: LIGHT INDUSTRIAL DISTRICT TO AN I-3: HEAVY INDUSTRIAL DISTRICT. COMMONLY KNOWN AS, ZA-126/MI96-01: MBA, LLC, MIDDLE TOWNSHIP, ONE LOT PARCEL TOTALING 140.50 ACRES, LOCATED AT THE SOUTHWEST CORNER OF COUNTY ROAD 225 EAST AND COUNTY ROAD 800 NORTH, NORTH OF THE CONRAIL TRACKS.

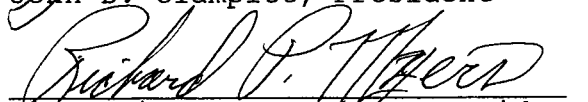
Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the I-3: Heavy Industrial District, the following described real estate located in the County of Hendricks, Indiana, namely: **ZA-126/MI96-01: MBA, LLC** S35&36-T17N-R1W, 140.50 acres, Middle Township, located at the southwest corner of County Road 225 East and County Road 800 North, North of the Conrail Tracks.


Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 13 day of May, 1996.



John D. Clampitt, President


Richard P. Myers, Vice President


Hursel C. Disney, Member

Board of Commissioners

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NUMBER 1996-19
BOARD OF COMMISSIONERS OF HENDRICKS COUNTY
REGARDING THE RELEASE OF COUNTY OWNED PROPERTY

WHEREAS, The Hendricks County Sheriff's Department is requesting the release of certain county owned property to a retiring employee

WHEREAS, According to and in compliance with the State Board of Accounts, an Ordinance permitting the release of such property must be adopted

WHEREAS, The Board of Commissioners wishes to adopt such an Ordinance, complying with the State Board of Accounts, permitting the release of such County owned property

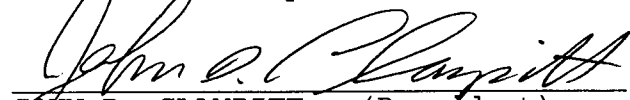
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, as follows:

- 1.) This Ordinance shall effect Hendricks County Sheriff's Department employees who have or will retire after 01-01-95.
- 2.) That the Hendricks County Sheriff's Department shall have the authority to release, to the retiring Sheriff's Department Employee, the County owned issued sidearm.
- 3.) The retiring Sheriff's Department Employee must have served honorably as a member of the Hendricks County Sheriff's Department for a minimum of 20 years.
- 4.) The Sheriff's Department Employee must have met the Statutory requirements to have been eligible to participate in the Hendricks County Police Retirement Plan during the entire said minimum 20 year period.

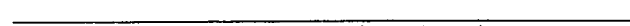
This Ordinance shall be in full force and effective immediately upon and after its adoption and publication as required by law.

Passed and approved by the Board of County Commissioners of Hendricks County, Indiana, this 20 day of May 1996.


BOARD OF COUNTY COMMISSIONERS
Hendricks County, Indiana


JOHN D. CLAPPITT (President)


RICHARD P. MYERS (Vice President)


HURSEL C. DISNEY (Member)

ATTEST:


MARY JANE RUSSELL (Auditor)

ORDINANCE NO. 96- 20AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF HENDRICKS
COUNTY

WHEREAS, questions have been raised about annexation
authority of new towns in Hendricks County, and

WHEREAS the commissioners of Hendricks County wish to
resolve any such questions.

Section I

BE IT ORDAINED BY THE BOARD OF COMISSIONERS OF HENDRICKS
COUNTY AS FOLLOWS:

1. The County Commissioners and the Executive of the
County Commission hereby grant any authorization
necessary for any town incorporated after January 1,
1982 in the County of Hendricks to undertake
annexation proceedings.

Section II This ordinance is hereby passed and adopted
at the meeting of the Board of Commissioners of Hendricks
County, Indiana this 28th day of May, 1996 and is
effective upon passage.

Attest

Judith G. Dyck

By

John A. Pharis
Richard F. Meyer (May)
Samuel A. Brown

96-21
ORDINANCE NO. 21

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM AN R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO AN I-2: LIGHT INDUSTRIAL DISTRICT. COMMONLY KNOWN AS ZA-131/LN96-03: HENDRICKS COUNTY BOARD OF COMMISSIONERS, LINCOLN TOWNSHIP, ON 175.7 ACRES, LOCATED 0.50 MILE SOUTH OF COUNTY ROAD 600 NORTH, 0.25 MILE WEST OF COUNTY ROAD 900 EAST AND NORTH OF THE CONTRAIL TRACKS.

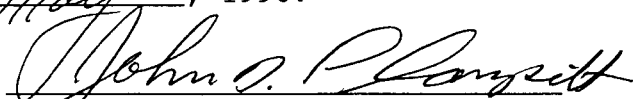
Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the I-2: Light Industrial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-131/LN96-03: HENDRICKS COUNTY BOARD OF COMMISSIONERS, S12 & 13-T16N-R1E. 175.7 acres, Lincoln Township, located 0.50 mile south of County road 600 North, 0.25 mile west of County Road 900 East and north of the Contrail Tracks. See attached legal description.

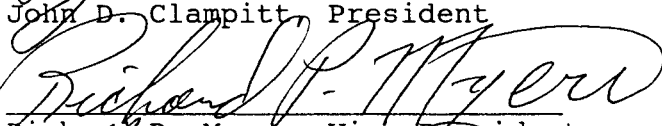
Section 2. All building or 'uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

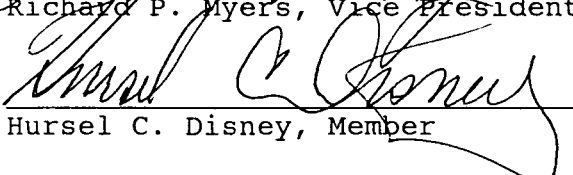
Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 28 day of May, 1996.

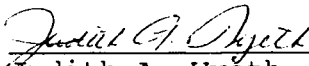
Board of Commissioners:


John D. Clampitt, President


Richard P. Myers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

96-22
ORDINANCE NO. 22

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM AN R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO AN R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT. COMMONLY KNOWN AS ZA-129/WA96-11: REPUBLIC DEVELOPMENT CORPORATION, WASHINGTON TOWNSHIP, ON 104.65 ACRES, LOCATED ON THE SOUTHEAST CORNER OF COUNTY ROAD 625 EAST AND COUNTY ROAD 150 SOUTH AND NORTH OF AVON ESTATES SUBDIVISION.

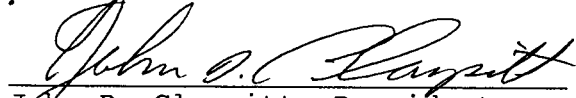
Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the R-2: Medium Density, Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-129/WA96-11: REPUBLIC DEVELOPMENT CORPORATION, S15-T15N-R1E. 104.65 acres, Washington Township, located on the southeast corner of County Road 625 East and County Road 150 South and north of Avon Estates Subdivision. See attached legal description.

Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

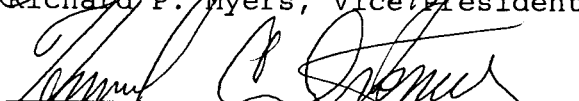
Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 28 day of July, 1996.


Board of Commissioners:


John D. Clampitt, President


Richard P. Myers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

96-23
ORDINANCE NO. 23

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A C-4: HIGHWAY COMMERCIAL DISTRICT, TO AN R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT. COMMONLY KNOWN AS ZA-125/LB96-03: HENDRICKS COUNTY COMMISSIONERS LIBERTY TOWNSHIP, 15.00 ACRES, LOCATED ON THE WEST SIDE OF STATE ROAD 39 AND 0.85 MILE SOUTH OF U.S. HIGHWAY 40.

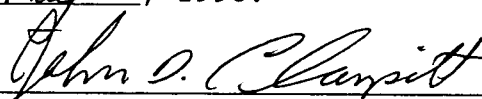
Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the R-1: Low Density, Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-125/LB96-03: HENDRICKS COUNTY COMMISSIONERS, S11-T14N-R1W. 15.00 acres, Liberty Township, located on the west side of State Road 39 and 0.85 mile south of U.S. Highway 40. See attached legal description.

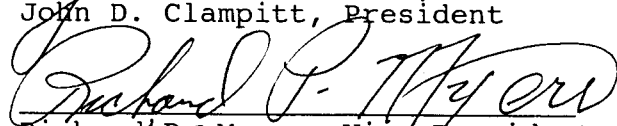
Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

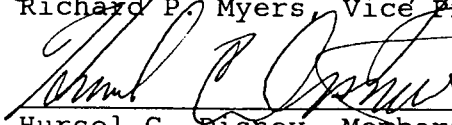
Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 28 day of July, 1996.

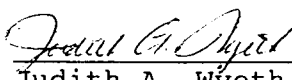
Board of Commissioners:


John D. Clampitt, President


Richard P. Myers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 96-24

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM AN R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO A C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-127/WA96-10: CLYDE W. FRANTZREB, ET AL, WASHINGTON TOWNSHIP, ON 3.92 ACRES, LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 40 AND 0.05 MILE EAST OF COUNTY ROAD 1050 EAST.

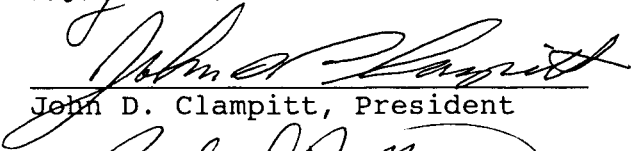
Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-127/WA96-10: CLYDE W. FRANTZREB, ET AL, S20-T15N-R2E. 3.92 acres, Washington Township, located on the north side of U.S. Highway 40 and 0.05 mile east of County Road 1050 East. See attached legal description.


Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

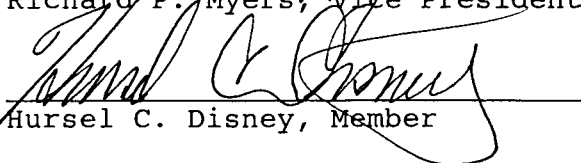
Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 28 day of May, 1996.

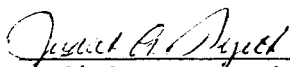
Board of Commissioners:


John D. Clampitt, President


Richard P. Myers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1996-27

AN AMENDMENT TO THE HENDRICKS COUNTY, INDIANA
ZONING ORDINANCE BY AMENDING CHAPTER 18: C-4 HIGHWAY
COMMERCIAL DISTRICT AND APPENDIX 1 BY DELETING THE
PERMITTED USE OF "CONTRACTORS - ASPHALT OR CONCRETE
PLANT" IN THE C-4 HIGHWAY COMMERCIAL DISTRICT.

WHEREAS, the Board of County Commissioners of Hendricks
County Indiana, adopted the Hendricks County Zoning Ordinance on
November 18, 1991 and which became effective on January 1, 1992;

WHEREAS, the Hendricks County Area Plan Commission has
recommended that the Zoning Ordinance be amended by deleting the
permitted use of "Contractors - Asphalt or Concrete Plant" in the
C-4 Highway commercial District in Chapter 18 and Appendix 1;

WHEREAS, the Hendricks County Area Plan Commission has
conducted a public hearing on the proposed amendment (TZA 96-03)
and voted to forward a favorable recommendation to the County
Commissioners; and

WHEREAS, the Hendricks County Commissioners have received
and reviewed the Plan Commission recommendations, have considered
the Plan Commission's recommendation, and find that the adoption
of the recommended amendment would promote the health, safety and
convenience of the people of Hendricks County;

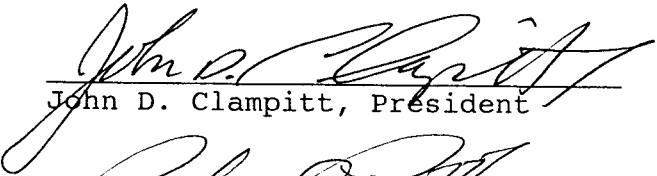
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:


Section 1. Amend Chapter 18: C-4 Highway Commercial
District and Appendix 1 by deleting the permitted use of
"Contractors - Asphalt or Concrete Plant" in the C-4 Highway
Commercial District.

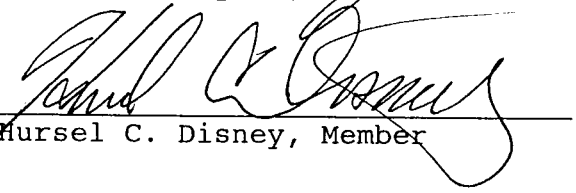
Section 2. This Ordinance shall be in full force and effect
from and after its passage and approval and publication according
to law.

APPROVED, by the Board of Commissioners of Hendricks County,
Indiana, this 10 day of June 1976.

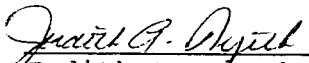
BOARD OF COMMISSIONERS


John D. Clampitt, President


Richard P. Myers, Vice-President


Mursel C. Disney, Member

ATTEST:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1996-28

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM AN R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO A C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-132/WA96-13: MIRZA A. AND KISHWAR BEG WASHINGTON TOWNSHIP, ON 0.59 ACRES, LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 40, 100 FEET EAST OF COUNTY ROAD 1050 EAST.

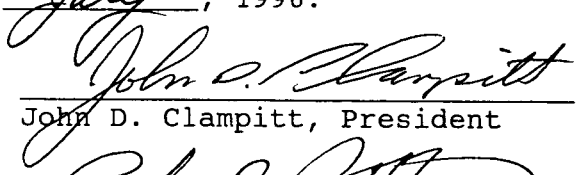
Section 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-132/WA96-13: MIRZA A. AND KISHWAR BEG, S20-T15N-R2E. 0.59 acres, Washington Township, located on the north side of U.S. Highway 40, 100 feet east of County Road 1050 East. See attached legal description.

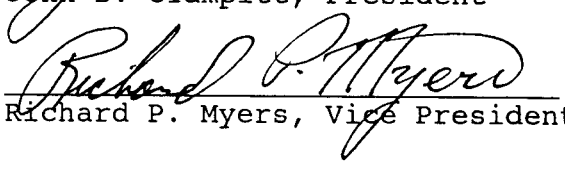
Section 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of Commissioners of Hendricks County, Indiana, the 14 day of July, 1996.

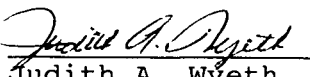
Board of Commissioners:


John D. Clampitt, President


Richard P. Myers, Vice President

Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1996-29

AN AMENDMENT TO THE HENDRICKS COUNTY, INDIANA
ZONING ORDINANCE BY AMENDING APPENDIX 1: OFFICIAL
SCHEDULE OF DISTRICT REGULATIONS/SCHEDULE OF USES
FOR PROFESSIONAL SERVICES (PAGE A-9) TO PROVIDE FOR
BANK AND BANK (DRIVE-IN) IN THE C-1 COMMERCIAL
ZONING DISTRICT AS A PERMITTED USE

WHEREAS, the Board of County Commissioners of Hendricks County Indiana, adopted the Hendricks County Zoning Ordinance on November 18, 1991 and which became effective on January 1, 1992;

WHEREAS, the Hendricks County Area Plan Commission had recommended that the Zoning Ordinance be amended by amending the list of permitted uses in Appendix 1: Official Schedule of District Regulations;

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment (TZA96-04) and voted to forward a favorable recommendation to the County Commissioners; and

WHEREAS, the Hendricks County Commissioners have received and reviewed the Plan Commission recommendations and find that the doption of the recommended amendment would promote the health, safety and convenience of the people of Hendricks County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

Section 1. Amendment to Appendix 1: Official Schedule of District Regulations/Schedule of Uses for Professional Services (Page A-9) of the Hendricks County Zoning Ordinance as follows:

Add Bank and Bank (Drive-In) as a permitted use in a C-1: Neighborhood Commercial Zoning District.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval and publication according to law.

APPROVED, by the Board of Commissioners of Hendricks County,
Indiana, this 14 day of July, 19 96.

John D. Clampitt
John D. Clampitt, President

Richard P. Myers
Richard P. Myers, Vice-President

Hursel C. Disney, Member

ATTEST:

BOARD OF COMMISSIONERS

Judith A. Wyeth
Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 96-30

AN ORDINANCE CREATING THE HENDRICKS COUNTY
REDEVELOPMENT AUTHORITY

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana is empowered by IC 36-7-14.5-7 to create a redevelopment authority as a separate body corporate and politic and as an instrumentality of the County.

WHEREAS, the redevelopment authority is to be governed by a board of directors composed of three (3) members.

WHEREAS, the members of the board of directors are to be appointed by the County Commissioners.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

Section 1. There is now hereby created a redevelopment authority for Hendricks County which shall be designated as the Hendricks County Redevelopment Authority.

Section 2. The initial board of directors ("Board") of the Hendricks County Redevelopment Authority shall consist of the following three individuals who are residents of Hendricks County and who shall serve for three (3) years in accordance with IC 36-7-14.5-8 as it may be in effect from time to time.

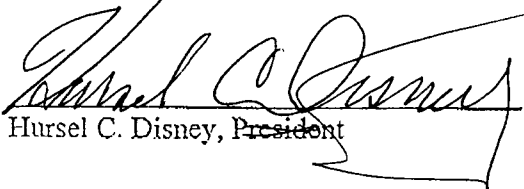
Section 3. The Board shall conduct meetings, elect officers in accordance with IC 36-7-14.5-9 as it may be in effect from time to time.

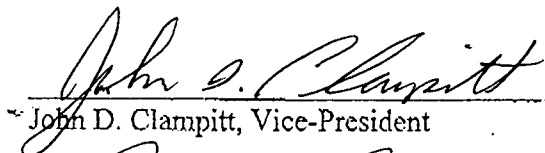
Section 4. The Board may adopt such bylaws and rules as it considers necessary for the proper conduct of its duties and safeguarding of funds and property entrusted to its care.

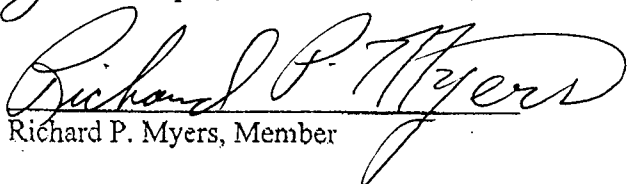
- Section 5. The Authority is created and organized for the purposes set out in IC 36-7-14.5-11 as it may be in effect from time to time.
- Section 6. The Authority shall have the powers and duties set forth in IC 36-7-14.5 as it may be in effect from time to time.
- Section 7. This ordinance shall be in full force and effect from and after its passage and approval and publication according to law.

APPROVED, by the Board of Commissioners of Hendricks County, Indiana, this 22nd
day of July, 1996.

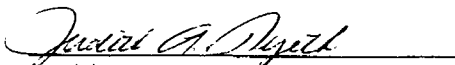
BOARD OF COUNTY COMMISSIONERS


Hursel C. Disney, President


John D. Clampitt, Vice-President


Richard P. Myers, Member

ATTEST:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 96- 31

AN ORDINANCE TO AMEND THE ZONING MAP OF NEIGHBORHOOD, HENDRICKS COUNTY, FROM A C-1; COMMERCIAL DISTRICT TO A C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-130/WA96-12; GREEN STREET CORPORATION, WASHINGTON TOWNSHIP, ON 5.05 ACRES LOCATED IN THE SOUTHEAST CORNER OF COUNTY ROAD 100 NORTH AND STATE ROAD 267.

Section 1.

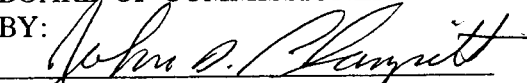
Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November of the year 1991, be amended so as to include in the C-2: General Commercial District commonly known as ZA-130/WA96-12; Green Street Corporation, Washington Township, on 5.05 acres located in the southeast corner of County Road 100 North and State Road 267, (legal description attached hereto) subject to the following self-imposed limitations:

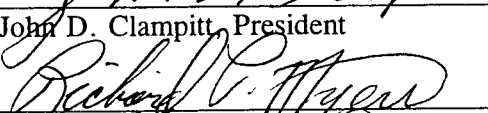
1. That there shall be no tavern, dance hall or night club located on the subject real estate.
2. That any person, firm or entity, other than a banking institution, which establishes a use on the subject property comprising more that 2000 square feet, shall first receive approval as a special exception under the ordinances of Hendricks County, Indiana.

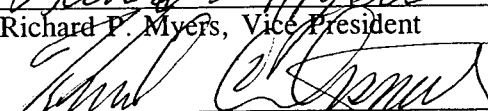
Approved by the Board of Commissioners of Hendricks County, Indiana, the 5th day of August, 1996.

BOARD OF COMMISSIONERS:

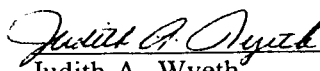
BY:


John D. Clampitt, President


Richard P. Myers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

Part of the Northwest quarter of Section 2, Township 15 North, Range 1 East, Hendricks County, Indiana, to-wit: Beginning at a point which is the northwest corner thereof; thence North 88 degrees and 34 minutes east along the north line thereof; 634.50 feet to a point; thence south 0 degrees 481.85 feet to a point; thence north 90 degrees 0 minutes west 634.50 feet to the west line of said quarter section; thence north along said line and 0 degrees east 466.00 feet to the place of beginning; containing in all 6.90 acres, more or less.

Except therefrom the following described real estate:

A part of the West Half of the Northwest Quarter of Section 2, Township 15 North, Range 1 East of the Second Principal Meridian in Washington Township, Hendricks County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter Section; thence North 88 degrees 31 minutes 29 seconds East on and along the North Line of said Quarter Section 534.47 feet to the POINT OF BEGINNING OF THIS DESCRIPTION; thence continuing North 88 degrees 31 minutes 29 seconds East on and along said North line 100.03 feet; thence South 00 degrees 00 minutes 00 seconds East 482.34 feet; thence South 90 degrees 00 minutes 00 seconds West 416.29 feet; thence North 00 degrees 00 minutes 00 seconds West 100.00 feet; thence North 90 degrees 00 minutes 00 seconds East 316.29 feet; thence North 00 degrees 00 minutes 00 seconds West 379.76 feet to the POINT OF BEGINNING and containing 1.85 acres, more or less.

ORDINANCE NO. 96-32

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO A C-4: HIGHWAY COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-134/LB96-04: TOM & PATRICIA KIRITSIS, LIBERTY TOWNSHIP, PARCEL TOTALING 313.50 ACRES, LOCATED ON THE NORTHEAST CORNER OF STATE ROAD 39 AND MORGAN COUNTY LINE ROAD AND ON THE SOUTH SIDE OF COUNTY ROAD 1000 SOUTH, 0.25 MILE EAST OF STATE ROAD 39.


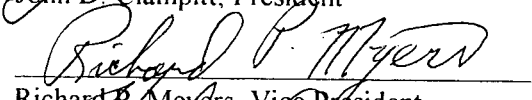
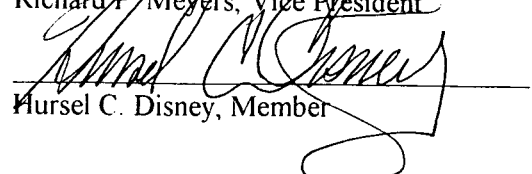
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-4: Low Density, Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-134/LB96-04: Tom & Patricia Kiritsis, S36-T14N-R1W, 313.50 acres, Liberty Township, located on the northeast corner of State Road 39 and Morgan County Line Road and on the south side of County Road 1000 South, 0.25 mile east of State Road 39.

SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

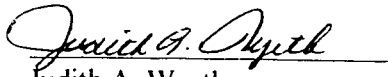
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 16 day of September 1996.

Board of Commissioners


John D. Clampitt, President

Richard P. Meyers, Vice President

Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

COMER LAW OFFICE

Attorneys-at-Law

71 WEST MARION STREET

P.O. BOX 207

DANVILLE, IN 46122

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find this

DERICK

PHONE: (317) 745-4300

FAX: (317) 745-3029

September 10, 1996

us
St.

IN 46204

and Patricia Kiritsis
et ZA-134\LB96-04

nding to your letter dated September 9, 1996, which
s morning. You have asked that certain uses within
ation be restricted from the Kiritsis property. The
/ responds by saying that the following uses will be
restricted from their present Hendricks and Morgan
es:

- 6, Asphalt or Concrete Plant;
- 7, Fertilizer Storage and Distribution;
- 11, Mobile Home Sales; Racing and Testing
Facilities;
- 12, Penal and Corrections Institutions
- 13, Adult Entertainment Facilities;
- 15, Solid Waste Transfer Stations;
- 1, Mobile Home Park;

egoing paragraph the Kiritsis family is willing to
ntirety of their presently owned Hendricks County
ated. Additionally, they are willing to restrict
owned Morgan County property. However, it is my
hat the Morgan County property is presently zoned
agricultural and therefore can only be used as such.
ney are willing to make these foregoing restrictions
he Morgan County property as well. Any use other
y zoned would require a zoning amendment. However,
, the Kiritsis family has no plans of any zoning

ORDINANCE NO. 96-33

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO A C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-135/WA96-14: AVON COMMUNITY CHURCH OF THE NAZARENE, WASHINGTON TOWNSHIP, PARCEL TOTALING 16.00 ACRES, LOCATED ON THE NORTHEAST CORNER OF U. S. HIGHWAY 36 AND COUNTY ROAD 625 EAST.

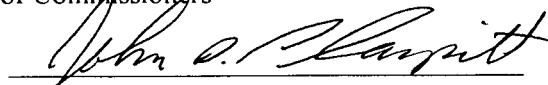
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-135/WA96-14: Avon Community Church of the Nazarene, S3-T15N-R1E, 16.00 acres, Washington Township, located on the northeast corner of U. S. Highway 36 and County Road 625 East.


SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

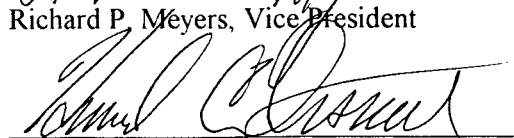
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana,
the 16 day of September, 1996.


Board of Commissioners


John D. Clampitt, President


Richard P. Meyers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 96-34

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM AN I-1: RESEARCH/OFFICE INDUSTRIAL DISTRICT, TO AN I-2: LIGHT INDUSTRIAL DISTRICT. COMMONLY KNOW AS ZA-137/CE96-07: JAMES & DARCI CAMERON, CENTER TOWNSHIP, PARCEL TOTALING 3.50 ACRES, LOCATED ON THE SOUTH SIDE OF EAST MAIN STREET, 0.28 MILE EAST OF COUNTY ROAD 300 EAST.

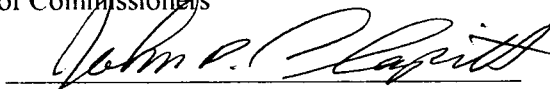
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the I-2: Light Industrial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-137/CE96-07: James & Darci Cameron, S7-T15N-R1E, 3.50 acres, Center Township, located on the south side of East Main Street, 0.28 mile east of County Road 300 East.

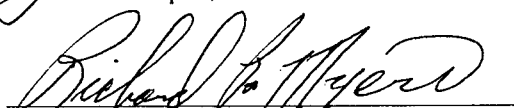
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.


SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 16 day of September, 1996.

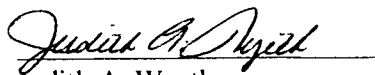
Board of Commissioners


John D. Clampitt, President


Richard P. Meyers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 96-35

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO AN I-2: LIGHT INDUSTRIAL DISTRICT. COMMONLY KNOW AS ZA-138/UN96-02: WALTER & PATRICIA INGRAM, UNION TOWNSHIP, PARCEL TOTALING 4.80 ACRES, LOCATED ON THE SOUTHWEST CORNER OF COUNTY ROAD 800 NORTH AND COUNTY ROAD 100 EAST AND NORTH OF THE CONRAIL TRACKS.

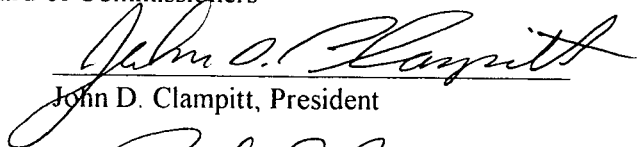
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the I-2: Light Industrial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-138/UN96-02: Walter & Patricia Ingram, S34-T17N-R1W, 4.80 acres, Union Township, located on the southwest corner of County Road 800 North and County Road 100 East and north of the Conrail Tracks.

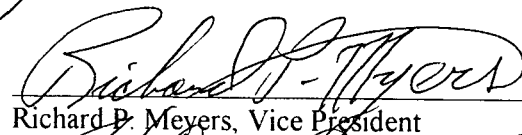
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

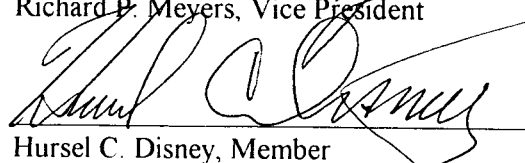
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 16 day of September, 1996.


Board of Commissioners


John D. Clampitt, President


Richard P. Meyers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

1496 -
ORDINANCE NO. 37

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM AN I-2: LIGHT INDUSTRIAL DISTRICT, TO A C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-140/WA96-15: DENNIS E. BARTLEY/STORAGE KING, INC., WASHINGTON TOWNSHIP, PARCEL TOTALING 0.914 ACRES, LOCATED ON THE SOUTH SIDE OF EAST U. S. HIGHWAY 36, APPROXIMATELY 0.25 MILE EAST OF COUNTY ROAD 900 EAST, MINOR PLAT #660, LOT #1.

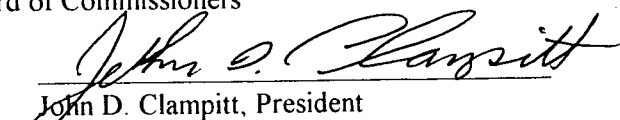
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-140/WA96-15: Dennis E. Bartley/Storage King, Inc., S7-T15N-R2E, 0.914 acres, Washington Township, located on the south side of East U. S. Highway 36, approximately 0.25 mile east of County Road 900 East, Minor Plat #660, Lot #1.


SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

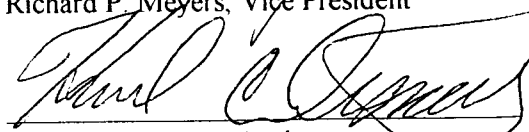
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of hendricks County, Indiana, the 14 day of October 1996.

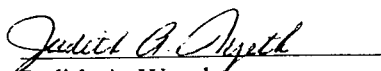
Board of Commissioners


John D. Clampitt, President


Richard P. Meyers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1996-38

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-141/WA96-16: MARK VANVALKENBURG, WASHINGTON TOWNSHIP, PARCEL TOTALING 1.2 ACRES, LOCATED ON THE SOUTH SIDE OF EAST U. S. HIGHWAY 36, 0.09 MILE EAST OF COUNTY ROAD 625 EAST.

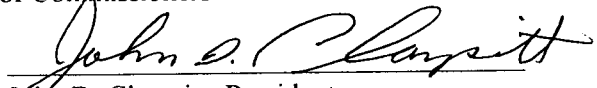
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-141/WA96-16: Mark Van Valkenburg, S10-T15N-R1E, 1.2 acres, Washington Township, located on the south side of East U. S. Highway 36, 0.09 mile east of County Road 625 East.


SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.


SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of hendricks County, Indiana, the 14 day of October, 1996.


Board of Commissioners


John D. Clampitt, President


Richard P. Meyers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1996-39

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-142/WA96-17: GEORGE HABOUSH, WASHINGTON TOWNSHIP, PARCEL TOTALING 0.50 ACRES, LOCATED ON THE NORTH SIDE OF EAST U. S. HIGHWAY 36, 0.50 MILE WEST OF COUNTY ROAD 1050 EAST.

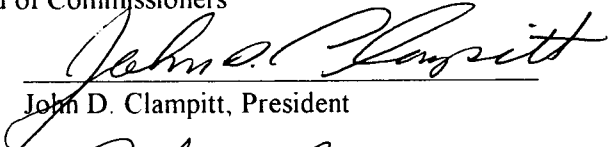
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-142/WA96-17: George Haboush, S5-T15N-R2E, 0.50 acres, Washington Township, located on the north side of East U. S. Highway 36, 0.50 mile west of County Road 1050 East.

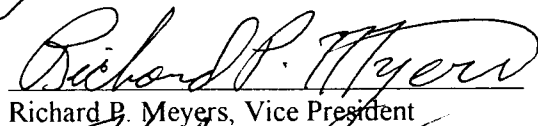
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

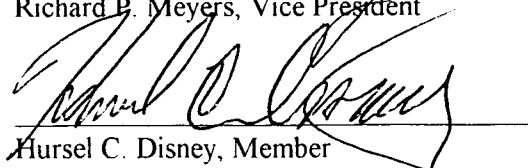
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of hendricks County, Indiana, the 14 day of October 1996.

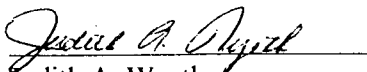
Board of Commissioners


John D. Clampitt, President


Richard B. Meyers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1986-46

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT AND A R-4: MEDIUM DENSITY, MULTIFAMILY RESIDENTIAL DISTRICT. COMMONLY KNOWN AS ZA-143/WA96-18: WILLIAM OSBORN, WASHINGTON TOWNSHIP, PARCEL TOTALING 113.00 ACRES, LOCATED ON THE NORTH SIDE OF COUNTY ROAD 100 SOUTH, 0.25 MILE WEST OF COUNTY ROAD 1050 EAST.

SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the R-2: Medium Density, Single Family Residential District and the R-4: Medium Density, Multifamily Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-143/WA96-18: William Osborn, S8-T15N-R2E, 113.00 acres, Washington Township, located on the north side of County Road 100 South, 0.25 mile west of County Road 1050 East, and west of County Road 1050 East, 0.25 mile north of County Road 100 South.

SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 14 day of October 1996.

Board of Commissioners

John D. Clampitt
John D. Clampitt, President

Richard P. Meyers
Richard P. Meyers, Vice President

Hursel C. Disney
Hursel C. Disney, Member

Attest:

Judith A. Wyeth
Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1996-41

AN ORDINANCE TO AMEND THE
HENDRICKS COUNTY INDIANA ZONING ORDINANCE
BY AMENDING CHAPTER 4: NONCONFORMING USES

WHEREAS, the Board of County Commissioners of Hendricks County Indiana, adopted the Hendricks County Zoning Ordinance on November 18, 1991 which became effective on January 1, 1992;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Zoning Ordinance be amended by amending Chapter 4: Nonconforming Uses;

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment and voted to forward a favorable recommendation to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners have received and reviewed the Plan Commission recommendations, and find that the adoption of the recommended amendment would promote the health, safety and convenience of the people of Hendricks County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

Section 1. Amendment of Chapter 4: Nonconforming Uses as follows:

4.1 INTENT

- A. Within the districts established by this ordinance or amendments that may later be adopted there exists lots, uses of land, structures, and uses of structures and land in combination which were lawful before this ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this ordinance or future amendments;

- B. It is the intent of this ordinance to permit legally established nonconforming uses, buildings, and structures to continue until they are removed, but not to encourage their survival. It is further the intent of this ordinance that nonconforming uses shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district without approval by the Board of Zoning Appeals; and
- C. Expansion, enlargement, extension or construction of a single family or two-family dwelling in any zoning district which prohibits single family or two-family dwellings may only be done in compliance with this Chapter.

4.2 INCOMPATIBILITY OF A NONCONFORMING USE

Nonconforming uses are declared by this ordinance to be incompatible with permitted uses in the districts in which the use is located. A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this ordinance unless approved in accordance with Chapter 4 of this ordinance.

4.3 AVOIDANCE OF UNDUE HARDSHIP

- A. Nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been carried on diligently. Actual construction is defined to include the placing of construction materials in a permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that the work shall be carried out diligently; and

- B. Nothing in this Chapter shall be construed to prohibit the expansion of a legally established nonconforming single family or two family dwelling in any zoning district contained in this ordinance or to prohibit the enlargement, expansion, or extension of a legally established nonconforming single family or two family dwelling, provided that such enlargement, expansion or extension complies with this Chapter.

4.4 SINGLE NONCONFORMING LOT OF RECORD

- A. In any district in which single family dwellings are permitted, a single family dwelling and permitted accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance, notwithstanding limitations imposed by other provisions of this ordinance.
- B. A nonconforming lot must be in a separate ownership and not within a series of other lots in the same ownership. Any lot of record legally created prior to the effective date of this ordinance which is zoned for single family or two family dwellings shall be exempt from the development standards requirements of this ordinance and shall, instead, be subject to the development standards of the 1957 Hendricks County Zoning Ordinance;
- C. For any single lot of record legally created prior to the effective date of the 1992 Hendricks County Zoning Ordinance, in any district in which single family or two family dwellings are not permitted by the 1992 Hendricks County Zoning Ordinance, but which exist in a residential neighborhood, a single family or two family dwelling or permitted accessory buildings may be erected in compliance with the development standards of the neighborhood or the 1957 Hendricks County Zoning Ordinance, whichever, is most restrictive; and
- D. Variances of the requirements of this Chapter shall be obtained only through action of the Board of Zoning Appeals as provided in Sections 5.9 through 5.16.

4.5 NONCONFORMING LOT OF RECORD IN COMBINATION OR SERIES

- A. If two (2) or more lots or a combination of lots and portions of lots within a series in single ownership are of record at the time of passage or amendment of this ordinance and if all or part of the lots with no buildings do not meet the requirements established for lot width and area, the lands involved must be combined in an effort to reach the minimum lot width or area required in the district;
- B. No portion of the lots shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this ordinance. The division of any lot with a width or area below the requirements stated in this ordinance shall not be created. After combining lots to reach minimum standards of width or area, there must be no remaining lots that would have less than the minimum width or area; and
- C. For any two (2) or more lots or combination of lots and portions of lots within a series, in single ownership, which are legally created lots of record at the time of passage or amendment of the 1992 Hendricks County Zoning Ordinance and which are in any district in which single family or two family dwellings are not permitted by the 1992 Hendricks County Zoning Ordinance, but which exist in a residential neighborhood, the lands involved must be combined in an effort to reach the minimum lot width or area required in the residential district of the 1992 Hendricks County Zoning Ordinance that most closely matches the existing residential neighborhood. A single family or two family dwelling or permitted accessory buildings may be erected in compliance with the development standards of the neighborhood or the 1957 Hendricks County Zoning Ordinance, whichever, is most restrictive.

4.6 NONCONFORMING USE OF LAND

Where, at the time of adoption of this ordinance, lawful uses of land exist which would not be permitted by the regulations imposed by this ordinance, the uses may be continued so long as they remain otherwise lawful, provided:

1. A nonconforming use shall not be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance;
2. A nonconforming use shall not be moved in whole or in part to any portion of the lot or parcel other than that occupied by the uses at the effective date of adoption or amendment of this ordinance;
3. If a nonconforming use of land is discontinued or abandoned for more than one (1) year, the subsequent use of the land shall conform to the regulations specified by this ordinance for the district in which the land is located; and
4. An additional structure not conforming to the requirements of this ordinance shall not be erected in connection with a nonconforming use of land.

4.7 NONCONFORMING STRUCTURE

A. Where a lawful structure exists at the effective date of adoption or amendment of this ordinance that could not be built under the terms of this ordinance by reason of restrictions on area, lot coverage, height, yards, location on the lot, bulk, or other requirements concerning the structure, the structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. A nonconforming structure may not be enlarged or altered in a way which increases its nonconforming uses, but any structure or portion may be altered to decrease its nonconforming uses;

2. A legally established nonconforming building or structure may be restored to its original dimensions if damaged or partially destroyed by fire or other disaster provided that the damage or destruction does not exceed two-thirds (2/3) of the gross floor area of said building or structure. All reconstruction must comply with all current state and local building codes and all other applicable county ordinances; and
 3. If a nonconforming structure is moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
- B. Any enlargement, expansion or extension of a legally established single family or two family dwelling or the construction, enlargement or expansion of a related accessory building in any district that prohibits single family or two family dwellings, but which exist in a residential neighborhood, must be in compliance with the development standards of the 1957 Hendricks County Zoning Ordinance or the 1992 Hendricks County Zoning Ordinance whichever is less restrictive.

4.8 NONCONFORMING USE OF A STRUCTURE OR OF A STRUCTURE AND LAND IN COMBINATION

If a lawful use involving individual structures, or of a structure and land in combination, exists at the effective date of adoption or amendment of this ordinance that would not be allowed in the district under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;

2. A nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but no use shall be extended to occupy any land outside such building;
3. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall conform to the regulations for the district, and the nonconforming use may not be resumed; and
4. When a nonconforming use of a structure, or structure and land in combination is discontinued or abandoned for more than one (1) year (except when government action impeded access to the premises), the structure or structure and land in combination, shall not be used except in conformity with the regulations of the district in which it is located.

4.9 REPAIR AND MAINTENANCE

On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done on ordinary repairs, or on repair or replacement of bearing and nonbearing walls, fixtures, wiring, or plumbing, provided that the cubic area existing when it became nonconforming shall not be increased. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part declared to be unsafe by any official charged with protecting the public safety, upon order of an official.

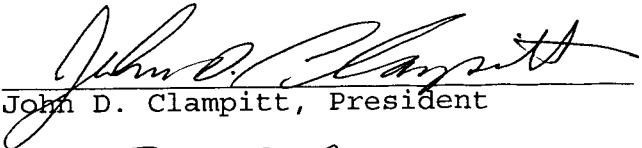
4.10 USE UNDER SPECIAL EXCEPTION USE PROVISION NOT NONCONFORMING USE

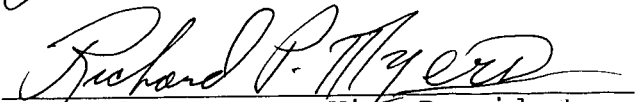
Any use which is permitted as a Special Exception use in a district under the terms of this ordinance shall not be deemed a nonconforming use in that district, but shall without further action be considered a conforming use.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval and publication according to law.

APPROVED, by the Board of Commissioners of Hendricks County, Indiana, this 14 day of October, 1996.

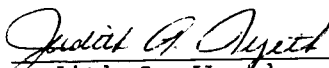
BOARD OF COMMISSIONERS


John D. Clampitt, President


Richard P. Myers, Vice-President


Hursel C. Disney, Member

ATTEST:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1996-42

AN AMENDMENT TO THE HENDRICKS COUNTY, INDIANA ZONING ORDINANCE BY AMENDING THE SCHEDULE OF USES ON PAGE A-13 TO CORRECT A PRINTING ERROR BY ESTABLISHING A TENNIS AND THEATER (INDOOR) USES AS SPECIAL EXCEPTIONS IN THE C-1: NEIGHBORHOOD COMMERCIAL DISTRICT AND AS A PERMITTED USE IN THE C-2: GENERAL COMMERCIAL DISTRICT.

WHEREAS, the Board of County Commissioners of Hendricks County Indiana, adopted the Hendricks County Zoning Ordinance on November 18, 1991 and which became effective January 1, 1992;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Zoning Ordinance be amended to establish a tennis and theater (indoor) uses as special exceptions in the C-1: Neighborhood Commercial District and as a permitted use in the C-2: General Commercial District;

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment (TZA 96-05) and voted to forward a favorable recommendation to the County Commissioners;

WHEREAS, the Hendricks County Commissioners have received and reviewed the Plan Commission recommendations, have considered the Plan Commission's recommendation, and find that the adoption of the recommended amendment would promote the health, safety, and convenience of the people of Hendricks County; and


NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

Section 1. Amend the schedule of uses on Page A-13 to correct a printing error by establishing a Tennis and Theater (Indoor) uses as special exceptions in the C-1: Neighborhood Commercial District and as a permitted use in the C-2: General Commercial District.

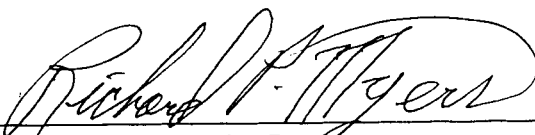
Section 2. This Ordinance shall be in full force and effect from and after its passage and approval and publication according to law.

APPROVED, by the Board of Commissioners of Hendricks County, Indiana, this
14 day of October, 19 96

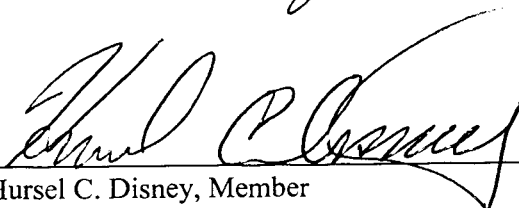
BOARD OF COMMISSIONERS



John D. Clampitt, President

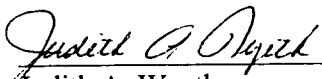


Richard P. Myers, Vice-President



Hursel C. Disney, Member

ATTEST:



Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1996-43

AN ORDINANCE CREATING A COMPREHENSIVE LISTING OF BUILDING
CONTRACTORS OPERATING WITHIN THE JURISDICTION OF HENDRICKS
COUNTY, INDIANA

BE IT HEREBY ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDRICKS
COUNTY, INDIANA, THAT:

SECTION 1.

General Provisions

- A. Title. This Ordinance shall be known and may be cited as the Contractors Listing Ordinance of Hendricks County, Indiana.
- B. Compliance. No general building contractor, electrical, plumbing, or heating ventilation and air conditioning contractor shall operate in any manner whatsoever in Hendricks County, Indiana except in full compliance with all provisions of this Ordinance and after lawful issuances of permits required by this Ordinance. The listed contractor shall be required to meet the bonding and insurance specifications contained herein. The contractor listing status shall only be affected by work which relates to code violations, ordinances or regulations, but does not involve any aesthetics, improper workmanship, or conduct not related to these violations.
- C. Purpose. The purpose of this Ordinance is to establish a comprehensive listing of contractors who operate within the jurisdiction of Hendricks County, Indiana, and provide for the administration, enforcement and amendment thereof in order to promote the health safety and general welfare of the residents of such jurisdiction.
- D. Application. It is not intended by this Ordinance to interfere with, abrogate or amend any covenants or other agreements between parties, nor is it intended by this Ordinance to repeal, abrogate or annul or in any way interfere with existing provisions of laws or ordinances not specifically repealed by this Ordinance, or any rules or regulations previously adopted or issued pursuant to law relating to the listing of contractors.

- E. Severability. If any provision of this Ordinance or applicaiton of any provision to particular circumstances is held invalid, the remainder of the Ordinance or application of such provision to other circumstances shall not be affected.
- F. Jurisdiction. This Ordinance shall apply to land within Hendricks County Planning and Building Department's jurisdiction.

SECTION 2. Listing Fees

Fees shall be charged for listing contractors in Hendricks County in accordance with the fee schedule adopted by the Board of Commissioners of Hendricks County, Indiana (hereinafter referred to as the Commissioners.) Fees shall represent the cost of administering the listing program.

SECTION 3. Listing Requirements

Any person, partnership, corporation or other entity engaging in any construction activity, for which an improvement location permit is required, shall be a listed contractor under this Ordinance, provided, however, that an individual constructing a new dwelling or accessory structures for his or her own personal use or occupancy shall be exempt from the requirements of this Ordinance upon the execution of a "Contractor Listing Exemption" form (which is attached hereto and incorporated herein by reference), provided that said individual cannot obtain more than one (1) permit for a new residence in a given calendar year.

SECTION 4. Registry of Listings

The Hendricks County Planning and Building Department shall maintain a registry of all persons, partnerships, corporations and other entities which apply for and receive listing as a listed contractor.

SECTION 5. Qualifications to be Listed as a Contractor

A person, partnership, corporation, or other entity shall be entitled to receive a listing as a contractor if the following requirements are met:

- A. An application form indicating the name, address, and legal business status of the contractor has been submitted to the Planning and Building Department of Hendricks County, Indiana;

- B. The listing fee specified in Section 2 of this Ordinance has been paid;
- C. A surety bond meeting the requirements of Section 6 of this Ordinance has been posted;
- D. The insurance requirements of Section 7 of this Ordinance have been met;
- E. The person, partnership, corporation, or other entity does not presently have a listing issued under this Ordinance currently suspended, nor, has such a listing been revoked within the preceding three hundred and sixty-five (365) days;
- F. The partnership does not have a partner or the corporation does not have an officer who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership, an officer in a corporation or an owner or principal of any entity listed under this Ordinance at the time when actions related to policies or practices of the partnership or corporation occurred which provided a basis on which the listing of the partnership, corporation or entity was revoked or suspended for more than one hundred eighty (180) days; and
- G. The person was not a partner in a partnership nor an officer in a corporation who has a listing under this Ordinance currently suspended or who has had such listing revoked within the preceding three hundred sixty-five (365) days.

Unless these requirements are met, a person, partnership, corporation or other entity shall not be entitled to be listed as a contractor. No prerequisites other than those contained in this Section shall be imposed in determining which persons, partnership, corporations or other entities may be listed contractors.

SECTION 6.

Bond

Before a listing is issued to any person, partnership, corporation, or other entity, the Director shall require the applicant to file a surety bond in the amount of Twenty Thousand Dollars (\$20,000.00). The bond shall be maintained in full force and effect for a period of not less than one (1) year and must be renewed yearly on the anniversary date of issuance. The bond shall set forth the name, phone number and address of the agent representing the bonding company and shall be:

1. Issued by a surety authorized to do business in Indiana;
2. Payable to the Board of County Commissioners of Hendricks County, Indiana or an unknown third party as obligee;
3. Conditioned upon:
 - a. Compliance with requirements set forth in this Ordinance which must be met to retain listing;
 - b. Prompt payment of all fees owed to Hendricks County as set forth in this Ordinance;
 - c. Prompt payment to Hendricks County for any loss or expense for damages to property of Hendricks County caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers in violation of requirements of state statute, county regulations or this Ordinance, which requirement must be met to properly carry out construction activity; and
 - d. Payment to a person, partnership or corporation which is an unknown third party obligee for any:
 - 1). Losses arising out of violations,
 - 2). Expenses necessary to correct violations, and
 - 3). Reasonable court costs and attorney fees allowed by the court incurred in connection with the commencement and prosecution of a court action to recover such losses and expenses for violation of regulations of this Ordinance, which requirements must be met to properly carry out construction activity on property of the unknown third party obligee, caused by any action of the contractor, his agents, employees, principals, subcontractors, materialmen or suppliers while engaged in any construction activity. However, the surety is not responsible under the bond for losses or expenses arising out of negligent conduct or improper workmanship unless such conduct or improper workmanship violates requirements of the state statute, county regulation or this Ordinance, which requirement must be met to properly carry out construction activity.

- B. The Director may accept in lieu of the surety bond a properly conditioned irrevocable letter of credit in the amount of Twenty Thousand Dollars (\$20,000.00) if the Commissioners approve the obligor financial institution as being financially responsible and if the County Attorney approves the letter of credit as affording the same protections to Hendricks County and an unknown third party as the protection afforded by a surety bond; and
- C. The obligation of the surety and financial institution relative to this bond or letter of credit is limited to Twenty Thousand Dollars (\$20,000.00) over the one (1) year listing period. A surety or financial institution may pay on the bond or disburse from the letter of credit to pay a claim in full at any time when that claim and pending claims (reflected by written notice to the surety or financial institution) together do not exceed the unpaid penalty of the bond or the undisbursed balance of the letter of credit.

SECTION 7.

Insurance

Insurance requirements are met if the person, partnership, corporation or other entity secures insurance covering all work and related construction activity accomplished by the listed contractor or under permits obtained by the listed contractor and thereafter maintain such insurance in full force and effect:

- A. A public liability and property damage insurance policy insuring the listed contractor and naming the Board of County Commissioners of Hendricks County, Indiana or an unknown third party as "additional insured," and providing also for the payment of any liability imposed by law on such listed contractor or the County of Hendricks arising out of operations being performed by or on behalf of the listed contractor in the minimum amounts of five hundred thousand dollars (\$500,000.00) for combined bodily injury and property damage coverage or five hundred thousand dollars (\$500,000.00) for any occurrence relative to which there is an injury or death to one or more persons and one hundred thousand dollars (\$100,000.00) for any occurrence relative to which there is damage to property. A certificate of such policy shall be delivered to the Director of the Hendricks County Planning and Building Department;

was responsible as permit obtainer or permit transferee after an authorized official or employee of Hendricks County issued a notice of code violation, revoked a permit or issued a stop-work order and the violations causing any of these actions remained uncorrected for a period of ten (10) days from the date when the listed contractor received notice of the code violation, revocation of permit or stop-work order, or in the instance where a period of ten (10) days was not sufficient, such longer period of time was fixed by the authorized official or employee in writing;

- D. The listed contractor has consistently failed to apply for or obtain required permits for construction activity;
- E. The listed contractor has consistently failed to timely file certificates of completion and occupancy, as required, for construction activity accomplished pursuant to his listing;
- F. The listed contractor consistently failed to give notice of availability for inspection at designated stages of construction activity;
- G. The listed contractor has attempted to conceal violations of building codes and procedures, provisions of state law, ordinances and regulations of the County, or provisions of this Ordinance relative to construction activity;
- H. The listed contractor has not properly paid the fee specified by Section 2 for a listing which has been issued, or is delinquent in other fees owed pursuant to this Ordinance;
- I. The partnership presently has a partner or the corporation presently has an officer who has a listing under this Ordinance currently suspended or who has had such listing revoked within the preceding three hundred sixty-five (365) days;
- J. The partnership presently has a partner or the corporation presently has an officer who, within the preceding three hundred sixty-five (365) days, served as a partner in a partnership or an officer in a corporation listed under this Ordinance at the time when actions related to policies or practices of the partnership or corporation occurred which provided a basis on which the listing of the partnership or corporation was revoked or suspended for more than one one hundred eighty (180) days; or

- K. The person was a partner in a partnership or an officer in a corporation who has a listing under the Contractor's Listing Ordinance of Hendricks County, Indiana currently suspended or who has had such listing revoked within the preceding three hundred sixty-five (365) days.

SECTION 11.

Hearing and Appeal of Director's Decision

The contractor shall have the right to appeal the Director's decision to the Hendricks County Board of Commissioners in accordance with the following procedures:

- A. The date and place for a revocation or suspension hearing shall be fixed by the Board of County Commissioners of Hendricks County, Indiana at least ten (10) days before such date. A written copy of the charges, prepared by the County, and notice of the time and place of the hearing thereon shall be served upon the listed contractor, either by hand delivery to the charged listed contractor, or by certified mail with return receipt addressed to the listed contractor at its main place of business as shown by the listed contractor's application for listing. The ten (10) or more days shall run from the date of such notice is mailed as shown by the post mark thereon;
- B. The listed contractor may appear in person or by counsel, produce evidence (including testimonial and documentation evidence), make argument and cross-examine witnesses at such hearing. Hendricks County shall have the same right. The Board of Commissioners may cause or allow any other relevant evidence to be introduced. On the basis of the evidence presented at the hearing, the Board of Commissioners shall make findings and enter an order in accordance with such findings, which shall not become effective until ten (10) days after notice and copy thereof has been served upon the listed contractor, in the same manner required for notice of the hearing;
- C. Any person aggrieved by a decision of the Board of County Commissioners may present, to the Circuit Court of Hendricks County or another court of competent jurisdiction, a verified petition setting forth that the decision is illegal in whole or in part and specifying the grounds of illegality; and
- D. If so appealed, the order of the Board of County Commissioners shall be stayed until the appeal is heard and determined by the Court. The Court shall thereupon render such decision as it finds justified and sustained by the evidence, either affirming, reversing or modifying the terms of the order of the Board of County Commissioners.

SECTION 12.

Improper Display

It shall be unlawful for any person, partnership, corporation or other entity accomplishing construction activity, to use the word "listed" in connection with its business if such person, partnership, corporation or other entity is not a listed contractor. Such person, partnership, corporation, or other entity shall not, for example, use the word "listed" on any display used for advertising or identification or on any of its business forms.

SECTION 13.

Repealer

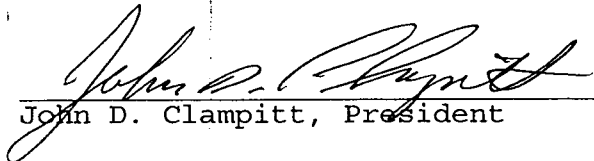
All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed.

SECTION 14.

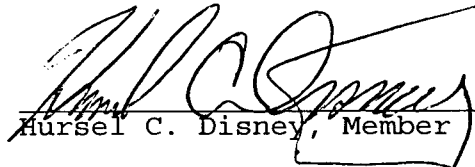
Effective Date

- I. This Ordinance shall be in full force and effect on January 1, 1997 from and after its passage, approval and publication according to law.

Adopted this 7th day of October, 1996


John D. Clampitt, President

Richard P. Myers, Vice President


Hursel C. Disney, Member

ATTEST:


Judith A. Wyeth
Special Deputy Auditor

CONTRACTORS LISTING ORDINANCE
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ORDINANCE NO. 1996-44

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO A C-4: HIGHWAY COMMERCIAL DISTRICT. COMMONLY KNOW AS ZA-139/BR96-01: FRED & SANDY ARKANOFF, BROWN TOWNSHIP, PARCEL TOTALING 2.24 ACRES, LOCATED ON THE WEST SIDE OF STATE ROAD 267, 0.50 MILE NORTH OF COUNTY ROAD 1000 NORTH.

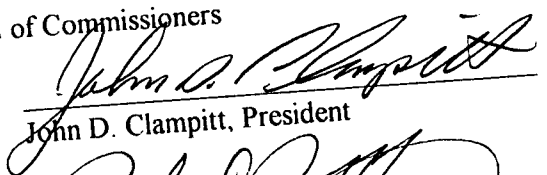
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-139/BR96-01: Fred & Sandy Arkanoff, S15-T17N-R1E, 2.24 acres, Brown Township, located on the west side of State Road 267, 0.50 mile North of County Road 1000 North.

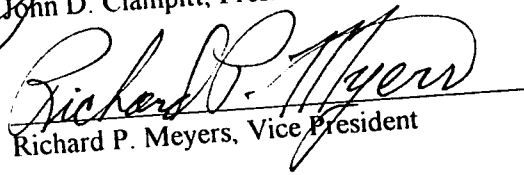
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

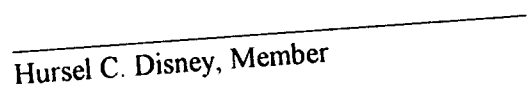
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of hendricks County, Indiana, the 18th day of November, 1996.

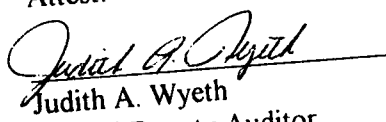
Board of Commissioners


John D. Clampitt, President


Richard P. Meyers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

1996-44

RESTRICTIVE COVENANT

WHEREAS Fred Arkanoff and Sandy Arkanoff have made application to the Hendricks County Commissioners for a zoning amendment on certain property owned by them which zoning amendment application is known as ZA-139/BR96-01; and

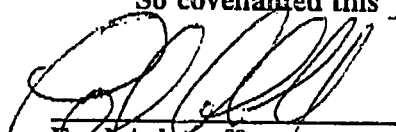
WHEREAS the real estate subject to said application is more particularly described on attached Exhibit "A"; and

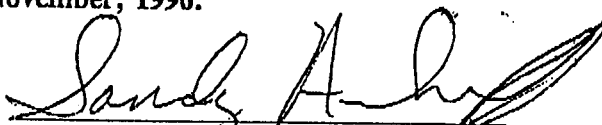
WHEREAS the Hendricks County Board of Commissioners approved said application on November 18, 1996 with certain conditions that were self imposed by the applicants, one of which is that the applicants would record a restrictive covenant setting forth all conditions of the approval.

NOW THEREFORE, for and in consideration of the approval by the Hendricks County Commissioners, the undersigned does hereby covenant, restrict and encumber the above referenced real estate as follows:

1. That in the event the undersigned applicant sell the above referenced real estate or change from their contracting painting business, then the undersigned shall initiate a zoning amendment to revert the real estate from a classification of C-4 to R-1.
2. That the applicants shall not enlarge the present physical structures located on the above referenced real estate.
3. The petitioners shall have no outside storage within the above referenced real estate, except that storage of scaffolding as presently exists in its present location.
4. That this document shall be recorded at the expense of the undersigned.

So covenanted this 19 day of November, 1996.


Fred Arkanoff


Sandy Arkanoff

STATE OF INDIANA

)
) SS:
)

HENDRICKS COUNTY

Before me, a Notary Public in and for said County and State, personally appeared Fred Arkanoff and Sandy Arkanoff, who acknowledged the execution of the foregoing Instrument, and who, having been duly sworn, stated that any representations therein contained are true.


Witness my hand and Notarial Seal this 19 day of Nov, 1996.

My Commission Expires:

5-7-99

County of Residence:

Hendricks


Signature of Notary Public
SALLY L. PETRE, NOTARY PUBLIC
COUNTY OF RESIDENCE HENDRICKS
Printed Name of Notary Public

This instrument was prepared by Lee T. Comer, Attorney-at-Law, P.O. Box 207, Danville, IN 46122, (317-745-4300).

ORDINANCE NO. 1996-45

AN AMENDMENT TO THE HENDRICKS COUNTY, INDIANA ZONING ORDINANCE BY AMENDING SECTION 28.4-5, LIGHTING, OF CHAPTER 28, OFF STREET PARKING AND LOADING, TO CORRECT A PRINTING ERROR.

WHEREAS, the Board of County Commissioners of Hendricks County Indiana, adopted the Hendricks County Zoning Ordinance on November 18, 1991 and which became effective January 1, 1992;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Zoning Ordinance be amended by amending Chapter 28 by changing Section 28.4-5;

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment (TZA 96-08) and voted to forward a favorable recommendation to the Board of County Commissioners;

WHEREAS, the Board of County Commissioners have received and reviewed the Plan Commission recommendations, have considered the Plan Commission's recommendation, and find that the adoption of the recommended amendment would promote the health, safety, and convenience of the people of Hendricks County; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

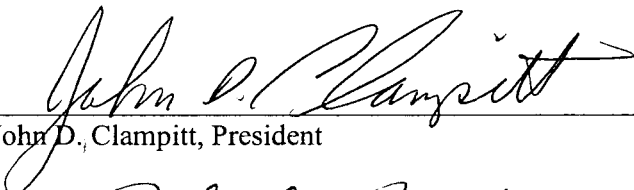
Section 1. Chapter 28, Section 28.4 -5 is hereby amended to include the following change:

Lighting: When lighting facilities are used, the light shall be shielded in such a manner as to preclude the reflection of light to adjacent property. No such use may cause illumination at or beyond any industrial district boundary in excess of 1.0 foot candle.

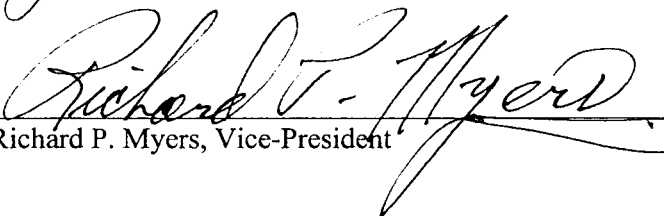
Section 2. This Ordinance shall be in full force and effect from and after its passage and approval and publication according to law.

APPROVED, by the Board of Commissioners of Hendricks County, Indiana, this
18 day of November, 1996

BOARD OF COMMISSIONERS



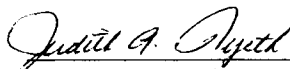
John D. Clampitt, President



Richard P. Myers, Vice-President

Hursel C. Disney, Member

ATTEST:



Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1996-46

AN AMENDMENT TO THE HENDRICKS COUNTY, INDIANA ZONING ORDINANCE BY AMENDING THE SCHEDULE OF USES ON PAGE A-4 TO ESTABLISH TACK AND FEED USES AS SPECIAL EXCEPTIONS IN THE R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT AND SC: SHOPPING CENTER DISTRICT AND AS PERMITTED USES IN THE C-2: GENERAL COMMERCIAL DISTRICT AND C-4: HIGHWAY COMMERCIAL DISTRICT.

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, adopted the Hendricks County Zoning Ordinance on November 18, 1991 and which became effective January 1, 1992;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Zoning Ordinance be amended to establish tack and feed uses as special exceptions in the R-1: Low Density, Single Family Residential District and SC: Shopping Center District and as permitted uses in the C-2: General Commercial District and C-4: Highway Commercial District;

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment (TZA 96-07) and voted to forward a favorable recommendation to the Board of County Commissioners;

WHEREAS, the Board of County Commissioners has received and reviewed the Plan Commission recommendations, have considered the Plan Commission's recommendations, and find that the adoption of the recommended amendment would promote the health, safety, and convenience of the people of Hendricks County; and

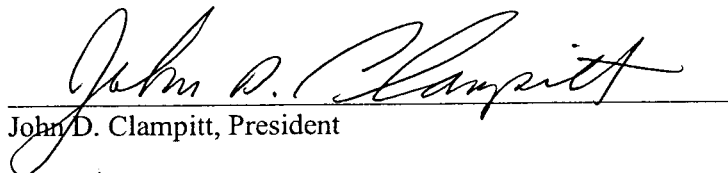
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

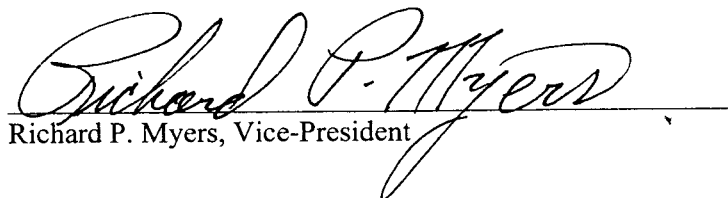
Section 1. Amend the schedule of uses on Page A-4 to establish Tack and Feed uses as special exceptions in the R-1: Low Density, Single Family Residential District and SC: Shopping Center District and as permitted uses in the C-2: General Commercial District and C-4: Highway Commercial District.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval and publication according to law.

APPROVED, by the Board of Commissioners of Hendricks County, Indiana, this
18 day of November, 1996.

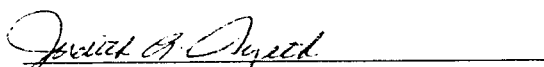
BOARD OF COMMISSIONERS


John D. Clampitt, President


Richard P. Myers, Vice-President

Hursel C. Disney, Member

ATTEST:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1996-47

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM C-2: GENERAL COMMERCIAL DISTRICT, TO C-4: HIGHWAY COMMERCIAL DISTRICT. COMMONLY
KNOW AS ZA-144/LN96-05: NHRA (RACEWAY PARK), LINCOLN TOWNSHIP, PARCEL TOTALING 311.55 ACRES,
LOCATED ON THE EAST SIDE OF COUNTY ROAD 1000 EAST, SOUTH OF U.S. HIGHWAY 136.


SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-144/LN96-05: NHRA (Raceway Park), S17&20-T16N-R2E, 311.55 acres, Lincoln Township, located on the east side of County Road 1000 East, south of U.S. Highway 136.

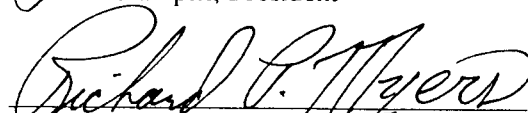
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of hendricks County, Indiana, the 18 day of November, 1996.

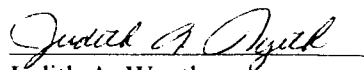
Board of Commissioners


John D. Clampitt, President


Richard P. Meyers, Vice President

Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1996-48

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A C-4: HIGHWAY COMMERCIAL DISTRICT, TO A R-5: HIGH DENSITY, MULTIFAMILY RESIDENTIAL DISTRICT. COMMONLY KNOW AS ZA-146/WA96-19: SANDERS DEVELOPMENT GROUP, INC., WASHINGTON TOWNSHIP, PARCEL TOTALING 44.88 ACRES, LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 36, AND 0.25 MILE EAST OF COUNTY ROAD 900 EAST.

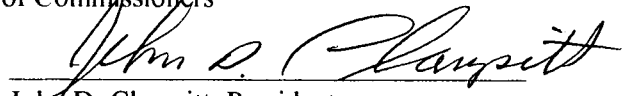
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the R-5: High Density, Multifamily Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-146/WA96-19: Sanders Development Group, Inc., S6-T15N-R2E, 44.88 acres, Washington Township, located on the north side of U.S. Highway 36, and 0.25 mile east of County Road 900 East.

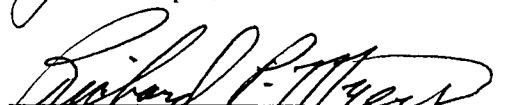
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

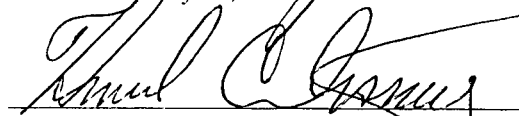
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 16 day of December 1996.


Board of Commissioners


John D. Clampitt, President


Richard P. Meyers, Vice President


Hursel C. Disney, Member

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE 1996- 49

AN ORDINANCE AMENDING THE PLANNING AND BUILDING
DEPARTMENT'S UNIFORM FEE SCHEDULE BY ESTABLISHING A
CONTRACTORS LISTING FEE

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana established a Planning and Building Department Uniform Fee Schedule, separate from the Hendricks County Zoning Ordinance, the Hendricks County Subdivision Ordinance, and the Contractors Listing Ordinance, on the 19th day of February, 1991 which included the setting and collecting of all planning, zoning, and building administrative fees; and

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Uniform Fee Schedule be amended by establishing a Contractors Listing fee and a Contractors Listing Ordinance fee; and

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment and voted to forward a favorable recommendation to the Board of County Commissioners of Hendricks County, Indiana; and

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana have received and reviewed the Plan Commissions report, have considered the Plan Commissions recommendations, and find that the adoption of the Contractors Listing Ordinance creates a need for these additional fees; and

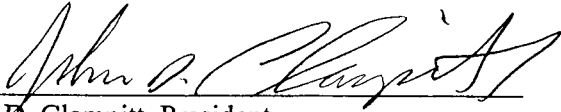
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA BY AUTHORITY OF SECTION 36-7-4-411 OF THE INDIANA CODE THAT THERE IS HEREBY ESTABLISHED AN AMENDMENT TO THE PLANNING AND BUILDING DEPARTMENT'S UNIFORM FEE SCHEDULE AS FOLLOWS:

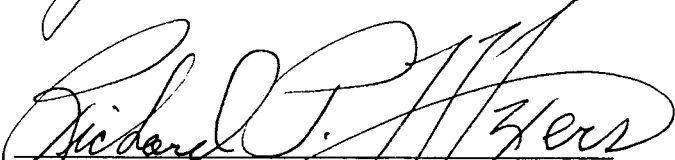
Section 1. The Hendricks County Planning and Building Department's Uniform Fee Schedule is hereby amended to include the following addition:

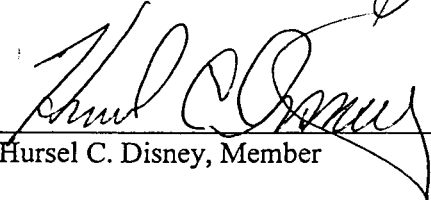
- | | |
|--|---------|
| a. <u>Contractors Listing Fee:</u> | \$75.00 |
| b. <u>Contractors Listing Ordinance Fee:</u> | \$ 7.00 |

Section 2. This Ordinance shall be in full force and effective from and after its passage and approval and publication according to law.

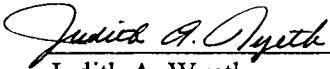
APPROVED, by the Board of County Commissioners of Hendricks County, Indiana, this 16th day of December, 1996.


John D. Clampitt, President


Richard P. Myers, Vice President


Hursel C. Disney, Member

ATTEST:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NUMBER 1996-50
BOARD OF COMMISSIONERS OF HENDRICKS COUNTY
REGARDING SNOW EMERGENCIES

WHEREAS, The Board of Commissioners has experienced difficulty in controlling the roads of Hendricks County during snow emergency times;

WHEREAS, It is the desires and duty of the County Board of Commissioners to provide for the orderly maintenance of Hendricks County roads;

WHEREAS, It is the desire and duty of the County Board of Commissioners to secure and promote public health, safety and welfare of the inhabitants and visitors of this County;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, as follows:

- 1.) The County Roads (all or in part) may be closed by the Board of Commissioners.
- 2.) Upon the order of the Board of Commissioners to close the County Roads (all or in part), the Commissioners or the designee of the Commissioners, shall notify, if possible:
 - A.) Indianapolis television stations
 - 1.) WRTV/CHANNEL 6
 - 2.) WISH/CHANNEL 8
 - 3.) WTHR/CHANNEL 13
 - 4.) WXIN/CHANNEL 59
 - B.) Indianapolis radio stations
 - 1.) WENS-FM/97.1
 - 2.) WFMS-FM/95.5
 - 3.) WIBC-AM/1070
 - 4.) WFBQ-FM/94.7
 - C.) Hendricks County radio stations
 - 1.) WQFE-FM/101.9
 - D.) The County Highway Superintendent
 - E.) The County Sheriff
- 3.) After reasonable notice of the closing, the road shall be closed.
- 4.) A person shall not operate a motor vehicle on a County road after the closing of the road under this Ordinance unless:
 - A.) The road has been declared open for general purpose traffic;
 - B.) The person operates a snowmobile, track vehicle, or a vehicle that is designed for the purpose of towing other vehicles;

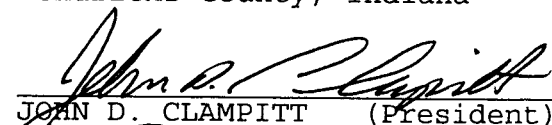
- C.) The person is engaged in emergency travel; or
- D.) The person has been authorized to do so by the Commissioners.
- 5.) If a vehicle has become inoperable or stuck on a County road, after it has been closed, it may be removed by the County Highway or Sheriff's Department, without liability, at the owners expense.
- 6.) A person shall not push, place, or deposit snow from any road, driveway, parking lot, or private property on a County road without the approval of the Commissioners.
- 7.) A person who violates any section of this Ordinance commits an Ordinance violation. A judgment of up to Five Hundred Dollars \$500.00 may be entered against a person for this violation.

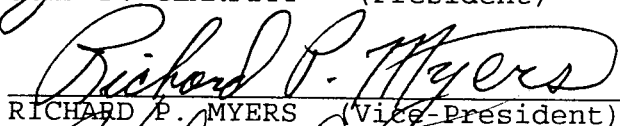
Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause or phrase, and the finding or holding of any section, subsection, sentence, clause or phrase to be unconstitutional, void or ineffective for any cause shall not affect another section, subsection, sentence, clause or phrase.

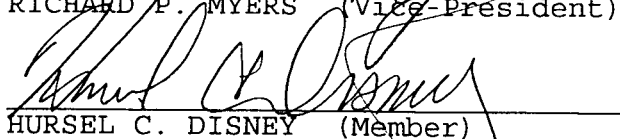
This Ordinance shall apply only to the roadways system maintained and controlled by the County Highway Department. This Ordinance shall be in full force and effect immediately upon and after its adoption and publication as required by law.

Passed and approved by the Board of County Commissioners of
Hendricks County, Indiana, This 23 day of December 1996.

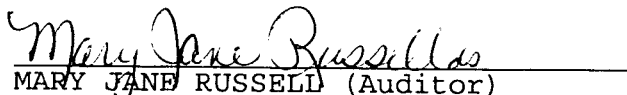
BOARD OF COUNTY COMMISSIONERS
Hendricks County, Indiana


JOHN D. CLAMPITT (President)


RICHARD P. MYERS (Vice-President)


HURSEL C. DISNEY (Member)

ATTEST:


MARY JANE RUSSELL (Auditor)

COUNTY COUNCIL ORDINANCE NO. 96-1

WHEREAS, the Hendricks County Council on June 6, 1995, approved a loan in the amount of \$560,000 to finance certain drainage improvements and repairs in Northern Acres (the "Project"); and

WHEREAS, the County Council now desires to authorize the issuance of a note by the County to fund the loan;

NOW, THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL AS FOLLOWS:

1. In order to raise funds for the Project, the County is hereby authorized to issue a note pursuant to IC 36-2-6-18, in an amount not to exceed \$560,000, at an interest rate not to exceed 8% per annum (the exact rate to be determined by bidding), and for a term not to exceed five years (the "Note").
2. The Note shall be repaid solely from amounts deposited in the County's general drain improvement fund created under IC 36-9-27-73. Repayment of the Note shall be subject to annual appropriations by the County of the necessary amounts from such fund.
3. The Note shall be sold by taking bids in accordance with IC 5-1-11 and IC 5-3-1.
4. This ordinance shall take effect upon compliance with the procedures required by law.

Passed by the Hendricks County Council this 2ND day of ^{January}~~December~~, 1995 ⁶~~17~~th.

HENDRICKS COUNTY COUNCIL

W. Kent Palmer
John A. Wacem
Vernon E. Ploughe
James R. Hesson

Lydia A. Gibbs
J. K. H. H. H.

ATTEST:

Mary Jane Russell
Hendricks County Auditor

HENDRICKS COUNTY COUNCIL

PASSED

ORDINANCE NO. ¹⁹⁹⁶⁻²⁵
~~1996-4~~

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NO MORE THAN ONE MILLION ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$1,100,000.00) ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 1996 (AQUA SYSTEMS, INC., PROJECT) OF THE COUNTY OF HENDRICKS, INDIANA, FOR THE PURPOSE OF FUNDING A LOAN TO AQUA SYSTEMS, INC., IN ORDER TO FINANCE THE ACQUISITION, CONSTRUCTION, INSTALLATION AND EQUIPPING OF AN ECONOMIC DEVELOPMENT FACILITY; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING THE EXECUTION OF A BOND PURCHASE AND LOAN AGREEMENT, A PROJECT NOTE APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AND AUTHORIZING SUCH OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS

WHEREAS, the County of Hendricks, Indiana (the "Issuer"), is authorized by I.C. 36-7-11.9 and 12, as supplemented and amended (the "Act"), to issue its revenue bonds to finance the costs of "economic development facilities," as defined in the Act, for the purpose of benefitting the health, prosperity, economic stability, general welfare, and public interest of the citizens of the Issuer; and

WHEREAS, the County Council of the Issuer (the "County Council") has previously adopted a resolution on May 8, 1996, tentatively finding that the proposed economic development facilities project described herein will not have an adverse competitive impact on other similar facilities already constructed or operating near or in Town of Avon, Indiana (the "Town"), or the County of Hendricks, Indiana (the "County"); and

WHEREAS, as a result of negotiations between the Issuer and Aqua Systems, Inc. (the "Borrower"), contracts have been or will be entered into by the Borrower for the purpose of acquisition, construction, installation and equipping of certain economic development facilities and such facilities shall include an approximately twenty-five thousand six hundred (25,600) square foot manufacturing and warehouse facility, including the purchase of equipment and machinery therein, located on an approximately one and seven-tenths (1.7) acre site located at 7785 E. Highway 36 -- Backlot Vista Park in the Town (the "Project"); and

WHEREAS, the Project will be owned by the Borrower for the manufacture of water filters for water dispensing units; and

WHEREAS, pursuant to a Bond Purchase and Loan Agreement (the "Loan Agreement"), to be dated the date of closing, among the Issuer, the Borrower and The Huntington National Bank as original purchaser of the Bonds (the "Holder"), the Issuer proposes to issue its \$1,100,000 Economic Development Revenue Bonds, Series 1996 (Aqua Systems, Inc., Project) (the "Bonds") to provide funds for the project, by lending such funds to the Borrower pursuant to the Loan Agreement which prescribes the terms and conditions under which the Borrower shall repay such loan and pursuant to which the Borrower will execute and deliver to the Issuer its promissory note (the "Project Note") in the principal amount equal to the aggregate principal amount of the bonds; and

WHEREAS, it is estimated that the costs of the Project, including costs relating to the preparation and issuance of the revenue bonds, will be approximately \$1,100,000 which will be funded with proceeds of the Bonds; and

WHEREAS, the Hendricks County Economic Development Commission (the "Commission") has rendered a Report of the Commission concerning the proposed financing of the costs of the Project; and

WHEREAS, the Commission, after a public hearing conducted on June 4, 1996, adopted a resolution on that date which resolution has been transmitted hereto finding that the financing of the costs of the Project complies with the purposes of the Act, and that such financing will be of benefit to the health, prosperity, economic stability, general welfare and public interest of the Town and the County and their citizens; and

WHEREAS, the Commission has approved in substantially final form, subject to subsequent changes by the Board of County Commissioners, the Loan Agreement, the Project Note, and the form of the Bonds by such resolution; and

WHEREAS, pursuant to the provisions of Section 24 of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), a public hearing on the proposed plan of financing of the Project was held by the Commission on June 4, 1996, prior to the adoption of said resolution, pursuant to notice published in The Hendricks County Flyer and The Hendricks County Republican on May 23, 1996, being newspapers of general circulation in the County; and

WHEREAS, no member of the County Council has any pecuniary interest in any employment, financing agreement or any other contracts made under the provisions of the Act and relating to the Project or to the issuance of the Bond, which pecuniary interest has not been fully disclosed to the County Council and no such member has voted on any such matter, all in accordance with the provisions of Section 16 of the Act;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF THE COUNTY OF HENDRICKS, INDIANA, AS FOLLOWS:

Section 1. Definitions. In addition to the words and terms defined in this Ordinance, the words and terms used in this Ordinance shall have the meanings set forth in the Loan Agreement, the Project Note, and in the form of the Bonds unless the context or use indicates another or different meaning or intent.

Section 2. Determination of Issuer. Pursuant to the Act, and based solely upon representations of the Borrower, without independent verification, the Issuer hereby finds and determines that (a) the Project is an "economic development facility" as defined in the Act and is consistent with the provisions of the Act and (b) the issuance and sale of the Bonds, the loan of the net proceeds thereof to the Borrower for the acquisition, construction, installation, and equipping of the Project (the "Loan") and the repayment of the Loan by the Borrower, will be of benefit to the health, prosperity, economic stability, general welfare and public interest of the County and the Town and their citizens and complies with the purposes and provisions of the Act.

Section 3. Authorization of Bonds. In order to pay for the cost of the acquisition, construction, installation and equipping of the Project there are hereby authorized to be issued, sold and delivered the Bonds designated as "County of Hendricks, Indiana, Economic Development Revenue Bonds, Series 1996 (Aqua Systems, Inc., Project)" in an aggregate principal amount not to exceed One Million One Hundred Thousand and 00/100 Dollars (\$1,100,000.00).

Section 4. Terms and Execution of the Bonds. The Bonds shall be issued as fully registered Bonds, without coupons, in the form and denominations set forth in the Loan Agreement; shall bear such date as provided in the Loan Agreement; shall mature and bear interest at a percent of the Prime Rate as set forth in the Loan Agreement; shall be subject to tender or redemption prior to maturity upon the terms and conditions set forth in the Loan Agreement; shall be payable at such place or places and in such medium as provided in the Loan Agreement; and shall contain such other terms and provisions as are set forth in the Loan Agreement.

The Bonds shall be executed by the manual or facsimile signature of at least any two of the Board of Commissioners of the Issuer (the "Board of Commissioners") and shall be attested by the manual or facsimile signature of the Auditor of the Issuer (the "Auditor") and the official seal, if any, of the Issuer or a facsimile thereof shall be affixed, impressed, imprinted or otherwise reproduced on the Bonds. If the bonds are issued without a trust indenture or a trustee, at least one of the officers or agents authorized to sign the Bonds shall manually execute each bond.

The Bonds are special limited obligations of the Issuer payable solely from payments of principal of, premium, if any, and interest on the Bonds made by the

Borrower under the Project Note and the Loan Agreement except to the extent that the principal of, premium, if any, and interest on the Bonds may be paid out of money attributable to Bond Proceeds or from temporary investments or from other moneys, if any, accruing to the Holder.

Pursuant to the Loan Agreement, the Issuer will assign to the Holder the Issuer's rights under the Loan Agreement and the Project Note (except for the Unassigned Issuer Rights, as defined in the Loan Agreement), as security for the payment of the Bonds. As a result of the Issuer's assignment as hereinbefore provided, the Issuer will have no ownership interest in the Project.

The Bonds and the obligation to pay interest thereon do not now and shall never constitute a debt, a liability, a general obligation or a pledge of the faith and credit of the Issuer, the State of Indiana or any political subdivision thereof, or a charge against the general faith and credit or taxing powers, if any, of any of them, within the meaning of any constitutional or statutory provision, but shall be secured as aforesaid, and are payable solely from the revenues and receipts derived from the Loan Agreement and the Project Note. No Holder of the Bonds shall have the right to compel the taxing powers, if any, of the Issuer, the State of Indiana or any political subdivision thereof to pay any principal of, premium, if any, or interest on the Bonds. Neither the members of the Issuer nor any person executing the Bonds shall be subject to personal liability or accountability by reason of the issuance of the Bonds or failure to issue the bonds.

The Borrower will indemnify and hold the Issuer free and harmless from any loss, claim, damage, tax, penalty, liability, disbursement, litigation expenses, attorneys' fees and expenses or court costs arising out of, or in any way relating to, the execution or performance of the Loan Agreement, the Project Note or any other documents in connection therewith, including the issuance or sale of the Bonds, actions taken under the Loan Agreement, the Project Note or any other cause whatsoever pertaining to the Project or the Bonds, except in any case as a result of the gross negligence or willful misconduct of the Issuer.

Section 5. Authorization of the Loan Agreement, Project Note and All Other Documents to be Executed by the Issuer. In order to secure the payment of the principal of, premium, if any, and interest on the Bonds, at least any two of the Board of Commissioners shall execute, acknowledge and deliver in the name and on behalf of the Issuer, the Loan Agreement and shall endorse the Project Note to the Holder in substantially the form submitted to the Issuer, with such changes therein as such officials, with the advice of counsel, may approve and determine, as conclusively evidenced by their execution thereof, to be advisable and in the best interests of the Issuer and in conformance with this Ordinance, excepting however such changes as must be approved pursuant to Sections 25 and 27 of the Act. The documents before this meeting, including the Loan Agreement, the form of the Bonds, and the Project Note are hereby approved in the forms submitted. The Auditor is hereby directed to insert copies thereof, in the

forms submitted to this meeting and approved hereby, in the minutes of this meeting of the Issuer and to certify thereon that the same is the form of the Loan Agreement, the form of the Bonds, and the Project Note so submitted to the Issuer and approved by this Ordinance and identified herein as the Loan Agreement, the form of the Bonds, and the Project Note, and to keep such Loan Agreement, the form of the Bonds, and the Project Note on file.

Section 6. General. The Board of Commissioners and the Auditor are hereby authorized and directed, in the name of and on behalf of the Issuer, to execute any and all instruments, documents and certificates, perform any and all acts, approve any and all matters, and do any and all things deemed by them to be necessary or desirable in order to carry out the purposes of this Ordinance (including the preambles hereto), the acquisition, construction, installation and equipping of the Project by the Borrower, the issuance and sale of the Bonds pursuant to the Loan Agreement and the securing of the Bonds under the Loan Agreement and the Project Note.

Section 7. Approval of Elective Legislative Body. Passage of this Ordinance by the County Council shall constitute and evidence the approval of the "applicable elected representative" of the Issuer for purposes of Section 147(f) of the Code, requiring approval of the "applicable elected representative" for the issuance of the Bonds.

Section 8. Invalidity. If any section, paragraph, clause or provision of this Resolution shall be ruled by any court of competent jurisdiction to be invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions.

Section 9. Conflicts. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed.

Section 10. Effective Date. This Ordinance shall be full force and effect immediately upon its passage.

* * * * *

4th Passed by the County Council of the County of Hendricks, Indiana, this
day of June, 1996.

HENDRICKS COUNTY COUNCIL

W. Kent Palmer

Lynna A. Gibbs

James R. Kason

John A. Haum

John H. Davis

Kenon E. Plouffe

Paul S. Simpson

Ordinance No. 1996-26

**AN ORDINANCE REDUCING THE REQUIRED SIX MONTH
BALANCE OF THE COUNTY'S SPECIAL ACCOUNT TO THREE MONTHS**

WHEREAS, Chapter 1.1 of Title 6 of the Indiana Code governing the County Adjusted Gross Income Tax has been amended by adding Section 9.5 that allows a County to adopt an ordinance reducing the required six month balance of the County's special account to a three month balance for that County; and,

WHEREAS, it is the desire of the Hendricks County Council to adopt such an ordinance.

NOW, THEREFORE, BE IT ORDAINED that the Hendricks County Council elects to recude the required County income tax special account balance from a six (6) month balance to a three (3) month balance within ninety (90) days after the adoption of this Ordinance.

Dated this 4 day of June, 1996.

HENDRICKS COUNTY COUNCIL
Hendricks County, Indiana

John A. Daum
John A. Daum

Lydia Gibbs
Lydia Gibbs

J. K. Givan
J. K. Givan

Larry R. Hesson
Larry R. Hesson

H. Hunt Palmer
H. Hunt Palmer

V. Eugene Ploughe
V. Eugene Ploughe

Richard Turpin
Richard Turpin

ATTEST:

Mary Jane Russell
Mary Jane Russell, Secretary

**HENDRICKS COUNTY COUNCIL
INNKEEPERS' TAX ORDINANCE
ORDINANCE NO. 36, 1996**

WHEREAS, it is the policy and expressed desire of Hendricks County, State of Indiana to promote and encourage development and tourism within Hendricks County and the respective municipalities located therein; and

WHEREAS, the General Assembly of the State of Indiana has recognized the necessity and propriety of funding such activities at the local level by enacting I.C. 6-9-18, which chapter enables Hendricks County, by and through its County Council, to levy an Innkeepers' Tax in furtherance of the policy hereinabove stated.

NOW THEREFORE, BE IT ORDAINED by the Hendricks County Council as follows:

SECTION I:

1. A tax is hereby levied on every hotel, motel, or inn engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room(s), lodging, or accommodations located in Hendricks County, Indiana.
2. The tax does not apply to gross income received in a transaction in which:
 - a. a person rents a room, lodging, or accommodations for a period of thirty (30) days or more.
3. The tax shall be levied at the rate of five percent (5%) on the gross retail income derived from lodging income only and is in addition to the state gross retail tax imposed under I.C. 6-2.5.
4. The tax shall be reported on forms approved by the Hendricks County Treasurer and shall be paid monthly to the Hendricks County Treasurer not more than twenty (20) days after the end of the month in which the tax is collected. The provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, and definitions apply to the imposition of the tax imposed by Section 3 of this Chapter. The County Treasurer is responsible for administration of the tax. All provisions of IC 6-8.1 apply to the County Treasurer with respect to the tax imposed by this section in the same manner that they apply to the Department of State Revenue with respect to listed taxes under IC 6-8.1-1-1.

SECTION II:

The Treasurer of Hendricks County shall forthwith establish a "Convention, Recreation, and Visitor Promotion Fund". The Treasurer shall deposit in this fund, all amounts received under this Ordinance. Money in this fund, including but not limited to, tax receipts under Section I of this Ordinance and any accumulated income therefrom, may be expended to promote and encourage development and tourism within Hendricks County and the respective municipalities located therein and any other use permitted under the statute. Expenditures of funds so collected shall be as set forth in a budget to be submitted

annually by the Board of Commissioners of Hendricks County, Indiana to this County Council for its review and subject to its approval. No expenditures may be made using such funds unless first receiving approval from the Board of Commissioners and then in accordance with an appropriation by this County Council in the manner provided by law.

SECTION III:

All of the provisions of I.C. 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, and administration are applicable to the imposition and administration of the tax imposed under this Ordinance except to the extent those provisions are in conflict or inconsistent with the specific provisions of this Ordinance or requirements of the Treasurer of Hendricks County, Indiana.

SECTION IV:

Any entity, person, corporation, or other business combination who knowingly approves the transfer of money to any person or corporation not qualified under this Ordinance for that transfer or approves a transfer for a purpose not permitted under this Ordinance commits a Class D felony. A person who receives a transfer of money under this Ordinance and knowingly uses that money for any purpose not permitted under this Ordinance commits a Class D felony.

SECTION V:

Any entity, person, corporation, or other business described in Section I of this Ordinance shall begin collection of the tax imposed by this Ordinance on the 3 day of September, 1996.

Passed and approved by the County Council of Hendricks County, Indiana this 3 day of September, 1996.

Richard G. Turpin

H. Hunt Palmer

John A. Haum

J. H. Hivao

Vernon E. Plough

ATTEST:

Mary Jane Gusella
Hendricks County Auditor

AMENDMENT TO 1996 HENDRICKS COUNTY SALARY ORDINANCE

WHEREAS, the Hendricks County Council is the legislative body that approves the salaries paid for positions held in Hendricks County; and

WHEREAS, enumerated below is an amendment to the listed County appropriations and the approved salaries for 1996; and

NOW THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL, HENDRICKS COUNTY, INDIANA:

SECTION #1: That the Hendricks County Council hereby approves the amendment to the listed appropriations based on 26 pays for the positions in Hendricks County, Indiana, as shown below.

In the event of a turnover for any position, the starting wage could be less than, but shall not exceed the existing amount originally appropriated without an amendment.

In the event of overtime for non-exempt employees, the rate is figured at time and one half of the base pay. Overtime would be in addition to the base pay listed. Part time rate of positions not classified can be no less than \$5.35 per hour and no more than \$7.28 per hour.

DEPARTMENT APPROPRIATION	REQUESTED	APPROVED
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01-106-117	20084.48	20084.48
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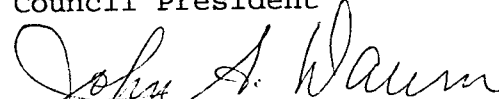
01-106-118	13904.80	13904.80
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01-151-121	28029.00	28029.00
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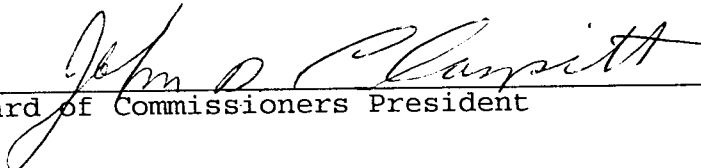
THE 1996 AMENDMENT HENDRICKS COUNTY SALARY ORDINANCE AS APPROVED ON THIS 2ND DAY OF JANUARY 1996 BY:



Council President



Council Vice-President



Board of Commissioners President

1996 HENDRICKS COUNTY SALARY ORDINANCE

WHEREAS, the Hendricks County Council is the legislative body that approves the salaries paid for positions held in Hendricks County; and

WHEREAS, enumerated below is the list of all County positions and the approved salaries for 1996; and

NOW THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL, HENDRICKS COUNTY, INDIANA:

SECTION #1: That the Hendricks County Council hereby approves the salaries based on 26 pays for the positions in Hendricks County, Indiana, as shown below.

In the event of a turnover for any position, the starting wage could be less than, but shall not exceed the existing amount originally appropriated without an amendment.

In the event of overtime for non-exempt employees, the rate is figured at time and one half of the base pay. Overtime would be in addition to the base pay listed. Part time rate of positions not classified can be no less than \$5.35 per hour and no more than \$7.28 per hour.

DEPARTMENT	APPROPRIATION	REQUESTED	APPROVED
PROSECUTOR	TITLE IV-D		
	01-084-112	30025.00	30025.00
	01-084-113	20279.00	20279.00
	01-084-114	17428.00	17428.00
	01-084-150	13913.00	13913.00
	01-084-152	2000.00	1200.00
CLERK			
	01-101-111	37495.00	35234.00
	01-101-112	26241.00	26241.00
	01-101-113	13913.00	13913.00
	01-101-114	13913.00	13913.00
	01-101-115	19820.00	19820.00
	01-101-116	13913.00	13913.00
	01-101-117	15995.00	15995.00
	01-101-118	16473.00	16473.00
	01-101-119	13913.00	13913.00
	01-101-120	13913.00	13913.00
	01-101-121	15234.00	15234.00
	01-101-122	13913.00	13913.00
	01-101-123	13913.00	13913.00
	01-101-124	13913.00	13913.00
	01-101-125	13913.00	13913.00
	01-101-126	3000.00	3000.00
	01-101-127	13913.00	13913.00
	01-101-128	13913.00	13913.00
	01-101-129	13250.00	13913.00
	01-101-150	5000.00	5000.00
	01-101-152	5000.00	5000.00

DEPARTMENT	APPROPRIATION	REQUESTED	APPROVED
AUDITOR			
	01-102-111	37495.00	35234.00
	01-102-112	26241.00	26241.00
	01-102-113	20066.00	20066.00
	01-102-114	16167.00	16167.00
	01-102-115	17101.00	17101.00
	01-102-116	16762.00	16762.00
	01-102-117	16762.00	16762.00
	01-102-118	21330.00	21330.00
	01-102-119	15520.00	15520.00
	01-102-120	13913.00	13913.00
	01-102-121	13913.00	13913.00
	01-102-152	2000.00	1000.00
TREASURER			
	01-103-111	37495.00	35234.00
	01-103-112	26241.00	26241.00
	01-103-113	15233.00	15233.00
	01-103-114	16762.00	16762.00
	01-103-115	16762.00	16762.00
	01-103-116	14392.00	14392.00
	01-103-117	16762.00	16762.00
	01-103-150	10500.00	10000.00
	01-103-152	1500.00	1000.00

RECORDER

01-104-111	37495.00	35234.00
01-104-112	26241.00	26241.00
01-104-113	16763.00	16763.00
01-104-114	15233.00	15233.00
01-104-115	13913.00	13913.00
01-104-150	3327.00	3327.00

SHERIFF

01-105-111	35866.00	35234.00
01-105-116	18310.00	18308.00
01-105-118	25426.00	24270.00
01-105-150	11000.00	5000.00
01-105-152	75600.00	75600.00
01-105-153	15171.00	15171.00
01-105-154	39063.00	37286.00
01-105-155	25426.00	24270.00
01-105-156	25426.00	24270.00
01-105-157	25888.00	25152.00
01-105-158	37214.00	35522.00
01-105-159	33605.00	31551.00
01-105-160	36521.00	34419.00
01-105-161	37214.00	35522.00
01-105-162	37907.00	36184.00
01-105-163	37214.00	35522.00
01-105-164	33054.00	31551.00
01-105-165	33054.00	31551.00
01-105-166	30705.00	28241.00
01-105-167	30074.00	28241.00
01-105-168	31669.00	30277.00
01-105-169	29586.00	28241.00
01-105-170	25426.00	24270.00
01-105-171	29124.00	27800.00
01-105-172	29124.00	27800.00
01-105-173	31669.00	30227.00
01-105-174	28662.00	27359.00
01-105-175	32129.00	30668.00
01-105-176	32129.00	31109.00
01-105-177	28200.00	26917.00
01-105-178	28200.00	26917.00
01-105-179	28200.00	26917.00
01-105-180	28200.00	26917.00
01-105-181	28200.00	26917.00
01-105-182	28200.00	26917.00
01-105-183	20930.00	19551.00
01-105-184	15036.00	14393.00
01-105-185	14587.00	13913.00
01-105-186	14587.00	13913.00
01-105-187	14587.00	13913.00
01-105-188	20930.00	.00
01-105-189	26350.00	25594.00
01-105-190	25426.00	24270.00
01-105-191	26350.00	25594.00
01-105-192	26350.00	25594.00
01-105-193	25888.00	25152.00

SURVEYOR

01-106-111	20293.00	20293.00
01-106-112	14914.00	14914.00
01-106-113	29834.00	29834.00
01-106-114	16167.00	16167.00
01-106-115	19397.00	19397.00
01-106-116	18307.00	18307.00
01-106-117	20085.00	19397.00
01-106-118	8348.00	8348.00
01-106-150	2000.00	1000.00
01-106-152	1500.00	1000.00

CORONER

01-107-111	11739.00	11739.00
01-107-112	2106.00	2106.00
01-107-113	1587.00	1587.00
01-107-115	1200.00	1200.00

PROSECUTOR

01-108-112	28763.00	28763.00
01-108-113	19000.00	19000.00
01-108-114	18000.00	18000.00
01-108-115	18000.00	18000.00
01-108-116	27710.00	27710.00
01-108-117	28763.00	28763.00
01-108-118	4500.00	4500.00
01-108-119	28763.00	28763.00
01-108-120	14000.00	14000.00
01-108-121	18000.00	18000.00
01-108-122	8000.00	8000.00
01-108-124	18000.00	18000.00
01-108-152	2000.00	2000.00

ASSESSOR

01-109-111	37495.00	35234.00
01-109-112	26241.00	26241.00
01-109-113	13913.00	13913.00
01-109-114	16762.00	13913.00
01-109-115	14200.00	14200.00
01-109-116	13912.00	13912.00
01-109-150	2500.00	2500.00

CENTER TOWNSHIP

01-110-111	9364.00	9364.00
01-110-112	4374.00	4175.00
01-110-113	4648.00	4437.00

GUILFORD TOWNSHIP

01-111-111	11098.00	11098.00
01-111-112	7037.00	7389.00
01-111-113	700.00	735.00

LINCOLN TOWNSHIP

01-112-111	11170.00	11166.00
01-112-112	10500.00	10500.00
01-112-113	945.00	945.00

WASHINGTON TOWNSHIP

01-113-111	10569.00	11098.00
01-113-112	16000.00	11550.00

BROWN TOWNSHIP

01-114-111	5400.00	5408.00
01-114-112	5490.00	5488.00

CLAY TOWNSHIP

01-115-111	1775.00	1775.00
01-115-112	1075.00	1078.00

EEL RIVER TOWNSHIP

01-116-111	3000.00	1775.00
01-116-112	2226.00	2338.00
01-116-113	1326.00	1393.00

FRANKLIN TOWNSHIP

01-117-111	1741.00	1775.00
01-117-112	2200.00	2243.00

LIBERTY TOWNSHIP

01-118-111	3249.00	3249.00
01-118-112	3959.00	3959.00

MARION TOWNSHIP

01-119-111	2011.00	4702.00
01-119-112	4691.00	2000.00

MIDDLE TOWNSHIP

01-120-111	2348.00	2348.00
01-120-112	3598.00	3598.00

UNION TOWNSHIP

01-121-111	1677.00	1761.00
01-121-112	2333.00	2450.00

EXTENSION OFFICE

01-130-115	20279.00	20279.00
01-130-116	18023.00	18023.00

PLANNING COMMISSION

01-131-111	47079.00	53000.00
01-131-112	27618.00	27618.00
01-131-113	24999.00	24999.00
01-131-114	18024.00	18024.00
01-131-115	5400.00	5000.00
01-131-116	4500.00	3300.00
01-131-117	18616.00	.00
01-131-118	29012.00	29012.00
01-131-119	18024.00	16168.00
01-131-120	23790.00	21788.00
01-131-122	18024.00	16667.00
01-131-123	3000.00	3000.00
01-131-124	22515.00	19397.00
01-131-125	21272.00	21272.00
01-131-126	20890.00	20890.00
01-131-128	18788.00	18788.00
01-131-129	.00	19397.00
01-131-130	.00	19397.00
01-131-152	4000.00	3000.00

DRAINAGE BOARD

01-133-113	2000.00	2000.00
01-133-114	2000.00	2000.00
01-133-115	2000.00	2000.00

VETERANS SERVICE

01-134-111	11024.00	11032.00
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COMMISSIONERS

01-135-113	20280.00	20280.00
01-135-115	10000.00	10000.00
01-135-122	16975.00	16975.00
01-135-123	16975.00	16975.00
01-135-124	16975.00	16975.00
01-135-125	12000.00	.00
01-135-126	13300.00	.00
01-135-127	5000.00	.00
01-135-152	3000.00	.00

COURT HOUSE

01-136-111	24579.00	24120.00
01-136-112	11921.00	11832.00
01-136-113	17336.00	17336.00
01-136-114	11372.00	11372.00
01-136-115	11372.00	11372.00
01-136-116	11372.00	.00
01-136-150	7500.00	7500.00

JAIL

01-137-112	25426.00	24269.00
01-137-116	17310.00	16781.00
01-137-117	20020.00	18042.00
01-137-118	7326.00	7326.00
01-137-121	20930.00	19636.00
01-137-122	20930.00	19636.00
01-137-123	12300.00	11735.00
01-137-125	20930.00	.00
01-137-126	20930.00	.00
01-137-127	20930.00	.00
01-137-152	10000.00	10000.00
01-137-153	50000.00	50000.00
01-137-154	20930.00	19636.00
01-137-155	20930.00	19623.00
01-137-156	22677.00	21697.00
01-137-157	26306.00	23130.00
01-137-158	26306.00	23130.00
01-137-159	23853.00	22100.00
01-137-160	20930.00	19623.00
01-137-161	20930.00	19623.00
01-137-162	31963.00	30509.00
01-137-163	20930.00	19623.00
01-137-164	20930.00	19623.00
01-137-165	22677.00	20140.00
01-137-166	24043.00	19624.00
01-137-167	26306.00	23131.00
01-137-168	20930.00	19624.00
01-137-169	22677.00	21697.00
01-137-170	20930.00	19624.00
01-137-171	20930.00	19624.00
01-137-172	20930.00	19624.00

JAIL CONTINUED

01-137-173	20930.00	19624.00
01-137-174	24043.00	21287.00
01-137-175	20930.00	19624.00
01-137-176	14115.00	13157.00
01-137-177	13647.00	13157.00
01-137-178	12524.00	11696.00
01-137-179	13367.00	12862.00
01-137-180	22677.00	21710.00
01-137-181	22677.00	21710.00
01-137-182	20930.00	19636.00
01-137-183	22677.00	21710.00
01-137-184	22677.00	21710.00
01-137-185	20930.00	20153.00
01-137-186	24406.00	21300.00
01-137-187	22677.00	21300.00
01-137-188	20930.00	19624.00
01-137-189	24043.00	21287.00
01-137-190	20930.00	19624.00
01-137-191	20930.00	19624.00
01-137-192	20930.00	19624.00
01-137-193	20930.00	19624.00
01-137-194	5000.00	5000.00
01-137-196	4000.00	4000.00

COUNTY HOME

01-138-111	28460.00	28460.00
01-138-116	14487.00	14487.00
01-138-117	13150.00	13150.00
01-138-119	15061.00	15061.00
01-138-122	13912.00	13912.00
01-138-123	11370.00	11370.00
01-138-124	13912.00	13912.00
01-138-125	11831.00	11831.00
01-138-126	13150.00	13150.00
01-138-127	14392.00	14392.00
01-138-128	15520.00	15520.00
01-138-129	15233.00	15233.00
01-138-150	10000.00	10000.00
01-138-152	7773.00	7773.00

CIRCUIT COURT

01-139-112	76500.00	.00
01-139-113	22500.00	18425.00
01-139-115	2000.00	2000.00
01-139-116	.00	21272.00
01-139-117	.00	10635.00
01-139-118	.00	21272.00
01-139-148	2400.00	2400.00
01-139-149	6000.00	.00
01-139-150	1845.00	1845.00
01-139-152	3000.00	3000.00
01-139-195	2240.00	1000.00
01-139-196	2200.00	1000.00
01-139-197	985.00	400.00

SUPERIOR COURT I

01-140-112	25500.00	21272.00
01-140-113	25500.00	21272.00
01-140-114	22500.00	18424.00
01-140-150	20500.00	16768.00
01-140-152	3000.00	3000.00
01-140-153	1000.00	1000.00
01-140-195	100.00	100.00
01-140-196	80.00	80.00
01-140-197	50.00	50.00

SUPERIOR COURT II

01-141-112	20500.00	18425.00
01-141-113	22500.00	18600.00
01-141-114	20500.00	18425.00
01-141-115	20500.00	18425.00
01-141-116	25500.00	21272.00
01-141-117	25500.00	21272.00
01-141-152	3000.00	3000.00
01-141-153	1000.00	1000.00
01-141-195	200.00	200.00
01-141-196	150.00	100.00
01-141-197	150.00	100.00

EMERGENCY MANAGEMENT

01-142-111	7773.00	7754.00
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ENGINEER

01-143-111	47079.00	45000.00
01-143-112	29834.00	29834.00
01-143-113	23814.00	23814.00
01-143-114	23639.00	21748.00
01-143-116	20348.00	20353.00
01-143-117	23624.00	23624.00
01-143-118	30407.00	30407.00
01-143-119	18018.00	18024.00
01-143-120	18692.00	18692.00
01-143-121	16162.00	16167.00
01-143-122	15853.00	15288.00
01-143-123	19402.00	.00
01-143-124	39446.00	35604.00
01-143-125	19402.00	.00
01-143-126	23814.00	23814.00
01-143-150	7280.00	7280.00
01-143-152	6000.00	6000.00
01-143-154	13905.00	13913.00

ANIMAL CONTROL

01-144-111	26181.00	26181.00
01-144-112	17436.00	17947.00
01-144-113	17436.00	17428.00
01-144-114	17436.00	17428.00
01-144-115	13923.00	13913.00
01-144-150	14447.00	14410.00
01-144-152	1000.00	500.00

WEIGHTS/MEASURES

01-145-111	10838.00	10838.00
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ELECTION

01-146-111	3300.00	3300.00
01-146-112	20088.00	20088.00
01-146-113	6000.00	6000.00
01-146-114	69000.00	69000.00
01-146-115	15000.00	15000.00
01-146-116	14342.00	14342.00
01-146-117	1200.00	1200.00
01-146-118	2600.00	2600.00
01-146-120	500.00	500.00
01-146-121	2200.00	2200.00
01-146-122	10000.00	10000.00
01-146-123	10000.00	10000.00
01-146-150	5000.00	5000.00
01-146-152	5000.00	5000.00

COMPUTER CENTER

01-147-110	38193.00	39193.00
01-147-111	22782.00	22782.00
01-147-112	20279.00	20279.00
01-147-113	20105.00	20105.00
01-147-152	7500.00	7500.00

PERSONNEL

01-148-111	29419.00	.00
01-148-150	7950.00	.00
01-148-153	3000.00	.00

COUNCIL

01-149-113	5200.00	4966.00
01-149-114	5200.00	4966.00
01-149-115	5200.00	4966.00
01-149-116	5200.00	4966.00
01-149-117	5200.00	4966.00
01-149-118	5200.00	4966.00
01-149-119	5200.00	4966.00

CIRCUIT COURT PROBATION

01-150-112	36173.00	36173.00
01-150-113	28029.00	28029.00
01-150-115	24359.00	24359.00
01-150-150	15000.00	4000.00

SUPERIOR COURT PROBATION

01-151-111	25810.00	25810.00
01-151-112	21109.00	21109.00
01-151-113	21109.00	21109.00
01-151-114	21109.00	21109.00
01-151-115	21109.00	21109.00
01-151-116	21109.00	21109.00
01-151-117	21109.00	21109.00
01-151-118	17010.00	17010.00
01-151-120	28029.00	28029.00
01-151-121	22950.00	22950.00

MICROFILM

01-152-112	18291.00	18291.00
01-152-113	13913.00	13913.00
01-152-114	5000.00	5000.00

SUPERIOR COURT III

01-153-112	22500.00	18424.00
01-153-113	25500.00	21272.00
01-153-114	25500.00	21272.00
01-153-115	20500.00	18424.00
01-153-116	20500.00	18424.00
01-153-152	3000.00	3000.00
01-153-153	1250.00	1250.00
01-153-195	300.00	200.00
01-153-196	150.00	100.00
01-153-197	150.00	100.00

SOIL/WATER

01-155-111	19361.00	19361.00
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HIGHWAY

02-201-111	39000.00	32214.00
02-201-112	33800.00	27789.00
02-201-113	22100.00	22512.00
02-201-115	6000.00	6000.00
02-201-119	6080.00	6080.00
02-201-121	25610.00	27593.00
02-201-122	21986.00	25424.00
02-201-123	21986.00	23496.00
02-201-124	25610.00	27233.00
02-201-125	25610.00	27956.00
02-201-126	25610.00	28316.00
02-201-127	22952.00	26147.00
02-201-128	27543.00	28920.00
02-201-129	27543.00	28920.00
02-201-130	22952.00	25787.00
02-201-131	25610.00	28316.00
02-201-132	25610.00	28316.00
02-201-133	25610.00	27233.00
02-201-134	21986.00	23496.00
02-201-135	25610.00	28316.00
02-201-136	27543.00	28920.00
02-201-137	23194.00	28316.00
02-201-138	21986.00	22291.00
02-201-139	25610.00	28316.00
02-201-140	21986.00	25424.00
02-201-141	25610.00	27233.00
02-201-142	23194.00	22291.00
02-201-143	6080.00	6080.00
02-201-144	6080.00	6080.00
02-201-145	25610.00	28316.00
02-201-146	6080.00	6080.00
02-201-147	6080.00	6080.00
02-201-148	27543.00	28920.00
02-201-152	30000.00	30000.00
02-201-154	21986.00	25424.00
02-201-155	.00	22291.00
02-201-156	20536.00	6080.00
02-201-157	25610.00	28316.00
02-201-158	6080.00	6080.00
02-201-159	6080.00	6080.00
02-201-149	28912.00	22291.00
02-201-150	25610.00	28197.00
02-201-151	21986.00	23496.00

BRIDGE

25-203-112	25610.00	27233.00
25-203-113	25610.00	27233.00
25-203-115	25610.00	28316.00
25-203-116	21986.00	24701.00
25-203-117	33020.00	30406.00

HEALTH

05-213-110	21636.00	21636.00
05-213-113	18520.00	18520.00
05-213-114	30617.00	30617.00
05-213-115	42125.00	36875.00
05-213-116	42125.00	42125.00
05-213-117	18520.00	18520.00
05-213-118	13913.00	13913.00
05-213-119	13913.00	13913.00
05-213-121	29012.00	29012.00
05-213-122	27617.00	27617.00
05-213-123	27617.00	27617.00
05-213-124	28152.00	28152.00
05-213-125	27617.00	27617.00
05-213-130	26000.00	.00
05-213-131	25644.00	.00
05-213-150	16107.00	14000.00
05-213-152	1000.00	1000.00
05-213-181	4900.00	4900.00

HEALTH MAINTENANCE

06-503-111	25599.00	25599.00
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REASSESSMENT

08-507-112	15846.00	15846.00
08-507-113	.00	15000.00
08-507-150	.00	16637.00
09-505-112	.00	15500.00
09-505-113	14455.00	14455.00
09-505-117	8000.00	8000.00
09-505-150	20000.00	20000.00
09-505-152	2000.00	2000.00

PROSECUTORS VICTIMS ASSISTANCE

14-514-111	11500.00	11500.00
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SUBSTANCE ABUSE

16-316-150	2500.00	2500.00
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SUPERIOR ADULT PROBATION

16-317-111	16069.00	16069.00
16-317-112	6920.00	6920.00
16-317-113	6920.00	6920.00
16-317-114	6920.00	6920.00
16-317-115	6920.00	6920.00
16-317-116	6920.00	6920.00
16-317-117	6920.00	6920.00
16-317-119	15288.00	15288.00
16-317-150	800.00	800.00
16-317-152	500.00	500.00

CIRCULT ADULT PROBATION

16-319-111	2990.00	2990.00
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SUPERIOR HOME DETENTION

16-322-111	28029.00	28029.00
16-322-112	15288.00	15288.00

EMERGENCY PHONE SYSTEM

17-516-111	20930.00	20930.00
17-516-112	20930.00	20930.00
17-516-113	20930.00	20930.00

THE 1996 HENDRICKS COUNTY SALARY ORDINANCE AS APPROVED BY:

<u>H. Hunt Palmer</u>	<u>1-2-95</u>	_____
Council President	Date	
<u>John A. Warren</u>	_____	_____
Council Vice-President	Date	
<u>John D. Plangis</u>	_____	_____
Board of Commissioners President	Date	

AMENDMENT TO 1996 HENDRICKS COUNTY SALARY ORDINANCE

WHEREAS, the Hendricks County Council is the legislative body that approves the salaries paid for positions held in Hendricks County; and

WHEREAS, enumerated below is an amendment to the listed County appropriations and the approved salaries for 1996; and

NOW THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL, HENDRICKS COUNTY, INDIANA:

SECTION #1: That the Hendricks County Council hereby approves the amendment to the listed appropriations based on 26 pays for the positions in Hendricks County, Indiana, as shown below.

In the event of a turnover for any position, the starting wage could be less than, but shall not exceed the existing amount originally appropriated without an amendment.

In the event of overtime for non-exempt employees, the rate is figured at time and one half of the base pay. Overtime would be in addition to the base pay listed. Part time rate of positions not classified can be no less than \$5.35 per hour and no more than \$7.28 per hour.

DEPARTMENT APPROPRIATION	APPROVED	REQUESTED
01-137-155	19623.00	19637.00
01-137-157	23130.00	25507.00
01-137-158	23130.00	25507.00
01-137-159	22100.00	22932.00
01-137-160	19623.00	19637.00
01-137-161	19623.00	19637.00
01-137-163	19623.00	19637.00
01-137-164	19623.00	19637.00
01-137-166	19624.00	23131.00
01-137-167	23131.00	25507.00
01-137-168	19624.00	19637.00
01-137-170	19624.00	19637.00
01-137-171	19624.00	19637.00
01-137-172	19624.00	19637.00
01-137-173	19624.00	19637.00
01-137-174	21287.00	23131.00
01-137-175	19624.00	19637.00
01-137-178	11696.00	11970.00
01-137-184	21710.00	19637.00
01-137-187	21300.00	19637.00
01-137-188	19624.00	19637.00
01-137-189	21287.00	23131.00
01-137-190	19624.00	19637.00
01-137-191	19624.00	19637.00
01-137-192	19624.00	19637.00
01-137-193	19624.00	19637.00

DEPARTMENT APPROPRIATION	APPROVED	REQUESTED
01-105-111	35234.00	80000.00
01-105-154	37286.00	37287.00
01-105-157	25152.00	24711.00
01-105-160	34419.00	34860.00
01-105-168	30277.00	30227.00
01-105-183	19551.00	18308.00
01-105-184	14393.00	14394.00
01-105-189	25594.00	25152.00
01-105-191	25594.00	25152.00
01-105-192	25594.00	25152.00
01-105-193	25152.00	24711.00
01-105-159	31551.00	32078.00
01-105-166	28241.00	29309.00
01-105-167	28241.00	28707.00
17-516-111	20930.00	19637.00
17-516-112	20930.00	19637.00
17-516-113	20930.00	19637.00

THE 1996 AMENDMENT HENDRICKS COUNTY SALARY ORDINANCE AS APPROVED BY:

W. Hunt Palmer 1-2-95
Council President Date

John A. Hansen
Council Vice-President Date

John D. Chasitt
Board of Commissioners President Date

AMENDMENT TO 1996 HENDRICKS COUNTY SALARY ORDINANCE

WHEREAS, the Hendricks County Council is the legislative body that approves the salaries paid for positions held in Hendricks County; and

WHEREAS, enumerated below is an amendment to the listed County appropriations and the approved salaries for 1996; and

NOW THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL, HENDRICKS COUNTY, INDIANA:

SECTION #1: That the Hendricks County Council hereby approves the amendment to the listed appropriations based on 26 pays per year for the positions in Hendricks County, Indiana, as shown below. In the event of a turnover for any position, the starting wage could be less than, but shall not exceed the existing amount originally appropriated without an amendment. In the event of overtime for non-exempt employees, the rate is figured at time and one half of the base pay. Overtime would be in addition to the base pay listed. Part time salary range can be no less than \$5.35 per hour and no more than \$7.64 per hour.

DEPARTMENT APPROPRIATION	ORIGINALLY REQUESTED	REQUESTED FOR APPROVAL	
01-131-124	19397.00	20890.00	NOTE A
01-136-111	24120.00	26240.00	NOTE B
01-136-112	11832.00	13195.00	
01-136-114	11372.00	11830.00	
01-136-115	11372.00	11830.00	
01-136-116	.00	11830.00	NOTE C
01-143-114	21748.00	22950.00	NOTE D
01-143-119	18024.00	18523.00	
01-143-120	18692.00	19729.00	
01-143-121	16167.00	17368.00	
01-143-122	15288.00	17436.00	
01-144-115	13913.00	14560.00	NOTE E

NOTE A: Staff restructuring (L. Wagner).

NOTE B: Salary increases (E. Cassity, W. McDaniel, L. Wilson and J. Campbell)

NOTE C: Addition of one fulltime employee.

NOTE D: Office reorganization (J. Estle, L. Alverson, D. Williams, E. Servies and open position).

NOTE E: Merit increase (S. Tyler).

THE 1996 AMENDMENT HENDRICKS COUNTY SALARY ORDINANCE AS APPROVED ON THIS

2nd DAY OF April, 1996 BY:

Council President

John A. Haum

Council Vice-President

John E. Russell

Board of Commissioners President

AMENDMENT TO 1996 HENDRICKS COUNTY SALARY ORDINANCE

WHEREAS, the Hendricks County Council is the legislative body that approves the salaries paid for positions held in Hendricks County; and

WHEREAS, enumerated below is an amendment to the listed County appropriations and the approved salaries for 1996; and

NOW THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL, HENDRICKS COUNTY, INDIANA:

SECTION #1: That the Hendricks County Council hereby approves the amendment to the listed appropriations based on 26 pays per year for the positions in Hendricks County, Indiana, as shown below.

In the event of a turnover for any position, the starting wage could be less than, but shall not exceed the existing amount originally appropriated without an amendment.

In the event of overtime for non-exempt employees, the rate is figured at time and one half of the base pay. Overtime would be in addition to the base pay listed.

Part time rate of positions not classified can be no less than \$5.35 per hour and amended to be no more than \$7.64 per hour.

DEPARTMENT APPROPRIATION	ORIGINALLY REQUESTED	REQUESTED FOR APPROVAL	
01-102-150	.00	7033.00	NOTE A
01-111-111	11098.00	12098.00	NOTE B
01-137-166	23131.00	19637.00	NOTE C
01-137-168	19637.00	23131.00	NOTE C
06-513-111	.00	21840.00	NOTE D

NOTE A: Request and approval of additional parttime employee.

NOTE B: Guilford Township Assessor qualifies for additional monies.

NOTE C: Change necessary due to demotion and promotion involving two employees.

NOTE D: Employment of Family Health Representative paid through grant funds.

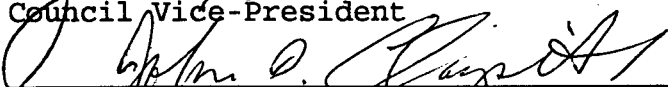
THE 1996 AMENDMENT HENDRICKS COUNTY SALARY ORDINANCE AS APPROVED ON THIS

2nd DAY OF April, 1996 BY:

Council President



Council Vice-President



Board of Commissioners President

The Hendricks County Council met on Tuesday, April 2, 1996, at 1:00 P.M. in the Commissioners Room on the third floor of the Courthouse, with the following in attendance:

JOHN A. DAUM	RICHARD G. TURPIN
J. K. GIVAN	LARRY R. HESSON
GENE PLOUGHE	LYDIA GIBBS
MARY JANE RUSSELL, AUDITOR	DEBBIE SIMPSON, DEPUTY AUDITOR

Bud Daum led the Pledge of Allegiance then brought the meeting to order. Hunt Palmer was not in attendance.

IN THE MATTER OF ADOPTION OF AGENDA

John Parsons on the subject of telephone rates and Kenny Givan on the subject of the size of the Mental Health Board were added to the agenda. Lydia Gibbs moved to adopt the agenda, as amended. Kenny Givan seconded this motion, which carried unanimously. Lydia Gibbs then moved to postpone discussion of the minutes from the February meeting until later in the day. Gene Ploughe seconded this motion, which also carried unanimously.

IN THE MATTER OF COUNTY PHONE SERVICE CHARGES

Mr. Parsons reported to the Council that AT&T is projecting a 22% increase in rates. Mr. Parsons indicated that the County is in the process of changing from analog to digital telephone lines, so the increase to the County may not be as severe as anticipated.

IN THE MATTER ANIMAL CONTROL

Animal Warden Mary Anne Lewis appeared before the Council to request an additional appropriation for computer equipment. In the 1995 budget, funds were transferred to cover the cost of this equipment, but the funds were not encumbered into the 1996 budget and the money reverted back to the General Fund. Gene Ploughe moved to approve the request, Larry Hesson seconded and the motion carried. Mrs. Lewis then requested that an increase be granted to her clerical employee because many of the duties of this employee are well outside the range of clerical tasks. The request was originally denied, however, later in the Council meeting, the subject was review, and the salary change was granted to Sharon Tyler from \$7.64 to \$8.00. Gene Ploughe moved to grant this increase in salary, with no retroactive pay. Kenny Givan seconded and the motion carried unanimously, with a notation from Larry Hesson that he voted in favor simply because the Council has "abandoned all restraint".

IN THE MATTER OF HEALTHY FAMILIES APPROPRIATION

511-741-10
1391300

HEALTHY FAMILIES GRANT

*12. Salary	06-513-111	\$ 21,840.00	\$ 21,840.
*13. FICA	06-513-190	\$ 1,671.00	\$ 1,671.
*14. PERF	06-513-191	\$ 2,021.00	\$ 2,021.
*15. Group Insurance	06-513-192	\$ 1,663.00	\$ 1,663.
*16. Unemployment Insurance	06-513-193	\$ 35.00	\$ 35.
*17. Life Insurance	06-513-194	\$ 46.00	\$ 46.
	TOTAL	\$ 27,276.00	\$ 27,276.

ADOPTED THIS 2ND DAY OF APRIL 1996 BY THE FOLLOWING VOTE:
AYE NAY

/s/ Richard G. Turpin
/s/ Vernon E. Ploughe
/s/ J. K. Givan
/s/ John A. Daum
/s/ Lydia A. Gibbs
/s/ Larry R. Hesson
#11

/s/ Larry R. Hesson Item

ATTEST: /s/ Mary Jane Russell ds
dks Mary Jane Russell, Secretary
* DENOTES ITEMS TABLED LAST MONTH

/s/ John A. Daum
John A. Daum, Vice-President

IN THE MATTER OF TRANSFERS

Bud Daum moved and Lydia Gibbs seconded to approve the transfer request in Reassessment. Motion carried unanimously.

REALLOCATION OF FUNDS RESOLUTION

Be it resolved by the County Council of Hendricks County, Indiana, that for the expenses of the Unit of Government of Hendricks County, the following sums of money previously appropriated for expenditures from a detail account within a major classification, are hereby re-allocated to another detail account within the same classification as originally appropriated, all as hereinafter specified:

DEPARTMENT	TRANSFER FROM	TRANSFER TO	AMOUNT	Y/N
1. Planning	01-131-114	01-131-124	\$1,493.	<u>Y</u>
	Secretary Planning Board	Plan Review Inspector		

ADOPTED APRIL 2, 1996 BY THE FOLLOWING AYE AND NAY VOTE:

AYE

NAY

/s/ Richard G. Turpin
/s/ Vernon E. Ploughe
/s/ J. K. Givan
/s/ John A. Daum
/s/ Lydia A. Gibbs

/s/ Larry R. Hesson

ATTEST: /s/ Mary Jane Russell ds
Mary Jane Russell, Secretary

/s/ John A. Daum
John A. Daum, Vice-President

3/28/96dks

IN THE MATTER OF MINUTES

It was decided to postpone the approval of the March minutes until the May reading because Council has not had sufficient time for review.

IN THE MATTER OF VETERANS SERVICES OFFICER REPORT

Veterans Services Officer Billie Holmes' monthly report was presented to the Council

IN THE MATTER OF ASSESSED VALUES AND TAX RATES

Mary Jane Russell and Debbie Simpson gave an update concerning assessed values and tax rates. Values were certified to the State Board of Tax Commissioners at 10:00 a.m. today, and it was estimated that rates should be received from the Tax Board within three to five weeks.

IN THE MATTER OF TAPING COUNCIL MEETINGS

Gene Ploughe made a motion that beginning in May, the Council would begin to tape their meetings, with the tape being maintained only until the written minutes were approved. He noted that the written minutes should relate to a small amount of discussion and the motions, which is basically as they are currently being written. The motion died for lack of second.

IN THE MATTER OF HIGHWAY SALARIES

Gene Ploughe moved to increase the salary of Russell Lawson, Highway Superintendent, to an annual salary of \$35,000, and that of Assistant Superintendent Martin Summers to \$31,000. Richard Turpin seconded the motion which carried unanimously, with a notation by Larry Hesson that he voted yes because it appeared that the Council has abandoned all 1996 salaries. These increases are to be effective immediately, with no retroactive pay.

IN THE MATTER OF CUSTODIAL SALARIES

Lydia Gibbs made a motion to approve the salary increases requested for Elvin Cassity and certain members of his staff at the January Council meeting. Kenny Glivan seconded the motion which carried, unanimously, with Larry Hesson again expressing his concern for abandoning all guidelines. These salary increases now reflect an annual salary

3-111 24120.00 02-201-111 32214.00
-112 11832.00 02-201-112 27789.00
-114 11372.00
-115 11372.00
116 .00

The Hendricks County Council met on Wednesday, May 8, 1996, at 1:00 P.M. in the Commissioners Room on the first floor of the Government Center, with the following in attendance:

H. HUNT PALMER	RICHARD G. TURPIN
J. K. GIVAN	LARRY R. HESSON
JOHN A. DAUM	LYDIA GIBBS
MARY JANE RUSSELL, AUDITOR	DEBBIE SIMPSON, DEPUTY AUDITOR

Hunt Palmer led the Pledge of Allegiance then brought the meeting to order. Gene Ploughe was not in attendance.

IN THE MATTER OF ADOPTION OF AGENDA

Kenny Givan moved to adopt the agenda as submitted, Lydia Gibbs seconded the motion, which carried unanimously.

IN THE MATTER OF H.V.A.C. BIDS FOR COMMUNITY BUILDING

Dale Kottkamp, representing the County Fair Board, informed the Council that they are ready to release specifications and begin accepting bids for the HVAC system for the Community Building at the Fair Grounds. He stated that financing is available within the County for up to \$25,000 per year for a ten year period. After much discussion, Larry Hesson moved that the Council commit itself to funding the cost of replacing the HVAC system at a cost of not to exceed \$25,000 for ten years, subject to the bids as they come in. There should be no additional costs for providing natural gas service to the building. Kenny Givan noted that the Highway department should be contacted to see if they could remove the underground gasoline tank from the facility. Bud Daum seconded Larry's motion, and the motion carried, unanimously.

IN THE MATTER CIRCUIT COURT PROBATION ADDITIONAL APPROPRIATION

Probation Director Steve Schmalz requested an additional appropriation of \$5,000 in part time salary to cover additional personnel being used to cover during maternity leave. Larry hesson moved to approve the request from Probation User Fees, Kenny Givan seconded and the motion carried unanimously.

EMERGENCY APPROPRIATION RESOLUTION

Whereas, certain extraordinary emergencies have developed since the adoption of the existing budget, so that it is necessary to appropriate more money than was appropriated in the annual budget; therefore, to meet such extraordinary emergencies:

Sec. 1. Be it resolved by the County Council of Hendricks County, Indiana, that for the expense of said county the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein and for the purpose herespecified, subject to the laws governing the same:

		<u>REQUESTED</u>	<u>APPROVED</u>
		<u>ADULT PROBATION USER FEES FUND</u>	
1. Circuit Probation - Part Time Payroll	16-319-150	\$ 5,000.00	\$5,000

IN THE MATTER OF HEALTHY FAMILIES APPROPRIATION

Linda Hibner appeared to inform the Council that the second year grant has been awarded to Hendricks County for the Healthy Families Program, with an increase in the grant amount. Linda requested approval to hire a part-time "Family Support Worker", which will be a classified position, at the rate of \$10 per hour for approximately 28 hours per week. This position will be funded entirely from grant money, and will be dissolved if and when the grant ends. Kenny Givan moved to allow Linda Hibner to hire a degreed "social worker" for up to \$10 per hour for a 28 hour week. Lydia Gibbs seconded the motion, which carried unanimously. Mrs. Hibner also informed the Council that Hendricks County Nursing Health Department received an award for having 98.5% of all two year olds complete their immunizations before they reach the age of two. She indicated this is the best record in the Central Indiana area.

IN THE MATTER OF SHERIFF'S DEPARTMENT

Sheriff Roy Waddell appeared before the Council to request that his clerical grade 4 employees be given the same increase in salary that was allowed to employees in other departments at last month's meeting. Sheriff Waddell indicated that except for promotions, he had never requested salary increases at any time other than budget time, but in light of recent "arbitrary" increases being given, he was asking for the same treatment for his employees. Kenny Givan moved to honor the request, Lydia Gibbs seconded, but the motion failed with a 4-2 vote. Hunt Palmer and Richard Turpin were opposed. (Five votes in favor are required for salary changes.)

IN THE MATTER OF INDUSTRIAL DEVELOPMENT BONDS

Amy Kosnoff from Baker & Daniels appeared on behalf of Aqua Systems to request the Council's approval of the sale of Industrial Development Bonds for the addition of a 25 square foot facility and the creation of 25 more jobs within the next three years. Hendricks County

AMENDMENT TO 1996 HENDRICKS COUNTY SALARY ORDINANCE

WHEREAS, the Hendricks County Council is the ^{Fiscal} ~~Legislative~~ body that approves the salaries paid for positions held in Hendricks County; and

WHEREAS, enumerated below is an amendment to the listed County appropriations and the approved salaries for 1996; and

NOW THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL, HENDRICKS COUNTY, INDIANA:

SECTION #1: That the Hendricks County Council hereby approves the amendment to the listed appropriations based on 26 pays per year for the positions in Hendricks County, Indiana, as shown below. In the event of a turnover for any position, the starting wage could be less than, but shall not exceed the existing amount originally appropriated without an amendment. In the event of overtime for non-exempt employees, the rate is figured at time and one half of the base pay. Overtime would be in addition to the base pay listed. Part time salary range can be no less than \$5.35 per hour and no more than \$7.64 per hour.

DEPARTMENT APPROPRIATION	ORIGINALLY REQUESTED	REQUESTED FOR APPROVAL	
16-319-150	.00	5000.00	NOTE A

NOTE A: Additional staffing due to maternity leave.

THE 1996 AMENDMENT HENDRICKS COUNTY SALARY ORDINANCE AS APPROVED ON THIS

2ND DAY OF JULY, 1996 BY:

W. Nunt Palmer
Council President

John D. Naum
Council Vice-President

John A. Chapin
Board of Commissioners President

AMENDMENT TO 1996 HENDRICKS COUNTY SALARY ORDINANCE

WHEREAS, the Hendricks County Council is the fiscal body that approves the salaries paid for positions held in Hendricks County; and

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NOW THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL, HENDRICKS COUNTY, INDIANA:

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DEPARTMENT APPROPRIATION	ORIGINALLY REQUESTED	REQUESTED FOR APPROVAL	
01-101-113	13913.00	14560.00	NOTE A
01-101-114	13913.00	14560.00	NOTE A
01-101-116	13913.00	14560.00	NOTE A
01-101-119	13913.00	14560.00	NOTE A
01-101-120	13913.00	14560.00	NOTE A
01-101-122	13913.00	14560.00	NOTE A
01-101-123	13913.00	14560.00	NOTE A
01-101-124	13913.00	14560.00	NOTE A
01-101-125	13913.00	14560.00	NOTE A
01-101-127	13913.00	14560.00	NOTE A
01-101-128	13913.00	14560.00	NOTE A
01-101-129	13913.00	14560.00	NOTE A
01-102-120	13913.00	14560.00	NOTE A
01-102-121	13913.00	14560.00	NOTE A
01-103-116	14392.00	14560.00	NOTE A
01-104-115	13913.00	14560.00	NOTE A
01-105-184	14393.00	14560.00	NOTE A
01-105-185	13913.00	14560.00	NOTE A
01-105-186	13913.00	14560.00	NOTE A
01-105-187	13913.00	14560.00	NOTE A
01-106-118	13904.80	14560.00	NOTE A
01-109-113	13913.00	14560.00	NOTE A
01-109-114	13913.00	14560.00	NOTE A
01-109-115	14200.00	14560.00	NOTE A
01-109-116	13913.00	14560.00	NOTE A
01-137-117	18042.00	18473.00	NOTE B
01-143-154	13913.00	14560.00	NOTE A
01-146-116	14342.00	14560.00	NOTE A
01-152-113	13913.00	14560.00	NOTE A
05-213-118	13913.00	14560.00	NOTE A
05-213-119	13913.00	14560.00	NOTE A

NOTE A: Upgrade to all Grade 4 position rates in accordance with June 4, 1996, Hendricks County Council approval.

NOTE B: Upgrade to same pay level as DPW Operators/Engineering Department due to comparative work duties.

AMENDMENT TO 1996 HENDRICKS COUNTY SALARY ORDINANCE

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DEPARTMENT APPROPRIATION	ORIGINALLY REQUESTED	REQUESTED FOR APPROVAL	
06-513-112	.00	10250.00	NOTE A
06-513-113	.00	10250.00	NOTE A
06-513-150	.00	7280.00	NOTE A

NOTE A: Addition of Healthy Families appropriations.

THE 1996 AMENDMENT HENDRICKS COUNTY SALARY ORDINANCE AS APPROVED ON THIS

6th DAY OF AUGUST, 1996 BY:

W. Hunt Palmer
Council President

John A. Damm
Council Vice-President

John D. Clapp
Board of Commissioners President

Kenny Cleuenger

137-117

The Hendricks County Council met on Tuesday, June 4, 1996, at 1:00 P.M. in the Commissioners Room on the first floor of the Government Center, with the following in attendance:

H. HUNT PALMER
J. K. GIVAN
JOHN A. DAUM
VERNON E. PLOUGHE

RICHARD G. TURPIN
LARRY R. HESSON
LYDIA GIBBS
MARY JANE RUSSELL, AUDITOR

Hunt Palmer led the Pledge of Allegiance then brought the meeting to order.

IN THE MATTER OF CIRCUIT COURT

Judge Boles asked, once again, that the Council record their meetings. Judge Boles feels this could solve many problems and offered to furnish the recording equipment. Gene Ploughe moved that the Council start recording their meetings, Kenny Givan seconded. The motion failed to pass with Gene Ploughe, Hunt Palmer and Lydia Gibbs in favor, Richard Turpin, Kenny Givan, Bud Daum and Larry Hesson opposed.

IN THE MATTER OF SHERIFF'S DEPARTMENT

Sheriff Waddell appeared before the Council to request that his Grade 4 Clerical employees be given the same increase as allowed other employees. Sheriff Waddell also requested of the Council that his maintenance employees be paid equally to other maintenance employees in the County. He indicated that the maintenance personnel at the jail had been with the County for 18 years. Kenny Givan moved to approve the requests. Lydia Gibbs seconded the motion which carried with Hunt Palmer and Richard Turpin opposing.

IN THE MATTER CLERK'S OFFICE

Connie Lawson appeared before the Council asking for an additional appropriation of \$46,000 for the purchase of 30 reconditioned voting machines from Microvote. Lydia Gibbs moved to look favorably upon approving this expenditure after the official request from the Commissioners has been advertised.

IN THE MATTER OF ECONOMIC DEVELOPMENT - AQUA SYSTEMS, INC.

Fred Baughman, Director of Hendricks County Economic Development Partnership, appeared before the Council to obtain signatures on Ordinance 1996-25 authorizing the issuance and sale of Revenue Bonds Series 1996 (Aqua Systems, Inc.). Kenny Givan moved to approve Ordinance 1996-25 Authorizing the sale of Economic Development Revenue Bonds for the purpose of funding a loan to Aqua Systems. Gene Ploughe seconded the motion, which carried unanimously.

IN THE MATTER OF COUNTY ADJUSTED GROSS INCOME TAX

Gene Ploughe moved to approve Ordinance 1996-26 concerning the County Adjusted Gross Income Tax. Adoption of this Ordinance will reduce the amount of time the Indiana Department of Revenue holds income tax collections in reserve from six months to three months. Larry Hesson seconded the motion, which carried.

IN THE MATTER OF SURVEYOR'S OFFICE

Patsy Wynn appeared before the Council on behalf of Neil Ott, County Surveyor, requesting the approval to spend \$3,000 for High Accuracy Reference Network. (These are surveying points, and each point reference costs \$3,000). The Council approved the expenditure because the funds are available in the Surveyor's 1996 budget. Patsy Wynn also asked that Mark Dodson be upgraded to a Grade 8 at an hourly rate of \$9.58. This would be a \$.70 hourly increase, and the funds are available in the Surveyor's budget for 1996. Kenny Givan moved to table the matter for the present time. Larry Hesson seconded and the motion carried unanimously.

IN THE MATTER ENVIRONMENTAL HEALTH

Deanna English, Director of Environmental Health, appeared before the Council requesting the authority to pay Patricia Showennan-Walrath who was previously paid from grant money, out of a County line item with the increase that line item would allow. Patricia's salary from the grant was \$24,380, and the annual budgeted amount from the Health Department budget is \$27,617. Gene Ploughe moved to approve the salary, since it was

IN THE MATTER OF SURVEYOR'S OFFICE

Neil Ott, County Surveyor, requested that his Surveyor Assistant position be upgraded to that of Surveyor Technician, in accordance with his meeting with Lee Bowman. Mr. Ott was informed by Mr. Bowman that a report had been forwarded to the County Council recommending this upgrade and his current budget would not necessitate additional funding due to this change. Council could not locate a report from Mr. Bowman that addressed this issue, so Gene Ploughe moved to table the matter until August, when the information would be available. Lydia Gibbs seconded the motion, which carried.

IN THE MATTER OF VETERAN'S SERVICE OFFICER REPORT

The Council acknowledged the receipt of the monthly report from Veteran's Service Officer, Billie Holmes.

IN THE MATTER OF HENDRICKS COUNTY ECONOMIC DEVELOPMENT FUNDS

Fred Baughman appeared to ask the Council for a four year commitment on the method of calculating funding for the Partnership. He proposed 5% of the County's guaranteed portion of E.D.I.T. funds for each of the next four years, because that is the formula approved by the Commissioners for this year. The Council did not make a commitment at this time, but informed Mr. Baughman that the method of funding would be considered each year at budget time.

IN THE MATTER OF PERSONNEL REPORT FROM LEE BOWMAN

Hunt Palmer informed the Council that Lee Bowman had submitted a report of his activities to date, along with a bill for his services in the amount of \$2,400 for the initial evaluation of 21 positions.

IN THE MATTER OF ADDITIONAL APPROPRIATIONS & TRANSFERS

Kenny Givan moved to approve the requested additional appropriations for the Commissioners budget. Gene Ploughe seconded the motion, which carried unanimously. Kenny Givan then moved to approve the additional appropriations for Healthy Families, Bud Daum seconded the motion, which also carried unanimously. Lydia Gibbs moved to approve all three requested transfers, Larry Hesson seconded, and that motion also carried unanimously.

EMERGENCY APPROPRIATION RESOLUTION

Whereas, certain extraordinary emergencies have developed since the adoption of the existing budget, so that it is necessary to appropriate more money than was appropriated in the annual budget; therefore, to meet such extraordinary emergencies:

Sec. 1. Be it resolved by the County Council of Hendricks County, Indiana, that for the expense of said county the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein and for the purpose here specified, subject to the laws governing the same:

		REQUESTED	APPROVED
		GENERAL FUND	
1. Commissioners - Care of Patients	01-135-316	\$ 150,000.00	\$150,000
2. Commissioners - Voting Machines	01-135-440	\$ 46,000.00	\$ 46,000
TOTAL		\$196,000.00	\$196,000
		HEALTHY FAMILIES FUND	
3. Family Support Worker	06-513-112	\$ 7,280.00	\$ 7,280
4. Family Support Worker	06-513-113	\$ 1,897.00	\$ 1,897
5. Part Time Employee	06-513-160	\$ 2,128.00	\$ 2,128
6. P.E.R.F.	06-513-191	\$ 105.00	\$ 105
7. F.I.C.A.	06-513-190	\$ 3,456.00	\$ 3,456
8. Unemployment Insurance	06-513-193	\$ 48.00	\$ 48
9. Health Insurance	06-513-192	\$ 35,410.00	\$35,410
10. Life Insurance	06-513-194		
TOTAL		\$55,650.00	\$ 55,650
		VEHICLE ACCESSORIES FUND	
11. Vehicle Accessories	13-000-242	\$ 55,650.00	\$ 55,650

ADOPTED THIS 2ND DAY OF JULY 1986

REALLOCATION OF FUNDS RESOLUTION

Be it resolved by the County Council of Hendricks County, Indiana, that for the expenses of the Unit of Government of Hendricks County, the following sums of money previously appropriated for expenditures from a detail account within a major classification, are hereby re-allocated to another detail account within the same classification as originally appropriated, all as hereinafter specified:

DEPARTMENT	TRANSFER FROM	TRANSFER TO	AMOUNT	Y/N
1. Engineer	01-143-216	01-143-305	\$ 800.00	Y

The Hendricks County Council met on Tuesday, July 2, 1996, at 1:00 P.M. in the Commissioners Room on the first floor of the Government Center, with the following in attendance:

H. HUNT PALMER

J. K. GIVAN

JOHN A. DAUM

VERNON E. PLOUGHE

RICHARD G. TURPIN

LARRY R. HESSON (arrived after first motion passed)

LYDIA GIBBS

DEBBIE SIMPSON, DEPUTY AUDITOR

Hunt Palmer led the Pledge of Allegiance then brought the meeting to order.

IN THE MATTER OF AGENDA

Gene Ploughe moved to adopt the agenda as presented, Kenny Givan seconded the motion, which carried. It was decided to postpone the approval of the June minutes and unfinished business until later in the meeting.

IN THE MATTER OF SENIOR SERVICES

Beth Ann Leach appeared before the Council to discuss the budget cuts her facility has experienced at the State and Federal level. They have already had a 19% decrease, with an additional 10% cut anticipated for 1997. Senior Services is planning a major fund-raising exposition for the summer of 1997, but funds are needed to carry them to that point. Kenny Givan made a motion to look favorably on an additional appropriation of \$9,000 for the remainder of 1996, and an increase in the 1997 budget amount of \$9,000. This is the total amount requested by Senior Services. Gene Ploughe seconded the motion, which carried unanimously.

IN THE MATTER GRADE FOUR CLERK WAGES

Connie Lawson became the spokesperson for several offices in requesting that any Office Holder or Department Head be allowed to pay a Grade 4 Clerk an amount not to exceed \$8.00 per hour. Larry Hesson made a motion to increase all Grade 4 Clerks in the County to a sum not to exceed \$8.00 per hour. All departments should begin processing the necessary paperwork for transfers or additions, if necessary. These increases are to be effective for the pay period ending July 11, 1996. Lydia Gibbs seconded the motion, which carried with a 5-2 vote. Hunt Palmer and Richard Turpin were opposed.

IN THE MATTER ADDITIONAL APPROPRIATION FOR VEHICLES

Sheriff Roy Waddell requested that the revenue from care of State Prisoners (\$55,650 for a two month period) be transferred, by means of an additional appropriation presented at this Council meeting, from the County General Fund into the County Vehicle Fund, as per prior Council agreements, toward the purchase of Sheriff's vehicles. Gene Ploughe moved to approve the request, Kenny Givan seconded and the motion carried unanimously.

IN THE MATTER OF HEALTHY FAMILIES

Steve Schmalz as fiscal manager for the Healthy Families Grant indicated that the Grant provided for payment of the supervisor of this program. Linda Hibner has performed these duties, and is entitled to \$1,456 according to the provisions of the grant. It was decided that these funds would be receipted into the Healthy Families budget, and disbursed to Linda Hibner through a regular payroll claim.

IN THE MATTER OF ANIMAL SHELTER

Mary Anne Lewis, Animal Warden, appeared to inform the Council that due to the late approval of the County Budget, she was unable to purchase the new van that was budgeted and approved for 1996 at the State-approved bid for 1996. She is in need of an additional \$3,000 to \$4,000 to purchase a van at the current prices. Gene Ploughe made a motion that Mary Anne be referred to the Commissioners for approval to purchase the van from their 400 accounts or supplement their budget by funding the difference from the County Vehicle Fund. Bud Daum seconded this motion, which carried unanimously.

IN THE MATTER OF SOIL & WATER GRANT

Mike Warner from the Soil & Water Department informed the Council that they had received grant approval and were going to hire a grant employee to work one on one with builders and developers to educate and train them on soil and water conservation. The grant is for \$62,700 over a two year period, and asks for a county match of funds in the amount of \$8,179. The Soil & Water Office is requesting one half of this amount (\$4,089.50) in their 1997 budget and will ask for the remaining half in their 1998 budget. These funds will be used to offset costs for supplies, transportation, equipment, etc. for the grant employee in 1997.

IN THE MATTER OF 1997 BUDGET HEARINGS

The 1997 Budget Hearings have been scheduled for the week of August 19 through August 23. As in the past, each office will come before the Council during that week for special requests and a review of their upcoming budget.

IN THE MATTER OF CORRECTING PAYROLL/BOOKKEEPING

Larry Hesson made the motion that the Auditor's Office proceed with the necessary calculations and advertising to address the internal bookkeeping problem involving the bi-weekly pay schedule. Kenny Givan seconded the motion, which carried, and the matter will be presented at the August Council meeting for consideration for the last pay period in 1996.

IN THE MATTER OF MINUTES

Kenny Givan moved to approve the June minutes of the County Council. Lydia Gibbs seconded the motion, which carried unanimously. Larry Hesson then brought up the topic of clarifying the Matter of the Theme Park from the May 1996 minutes, which was the only portion on those minutes that were left unapproved last month. Larry made a motion to approve the portion of the May 8, 1996 minutes dealing with the Matter of the Theme Park Development and also to approve and ratify the terms set out in the letter from Hunt Palmer dated June 21, 1996 (H.L.) as a revision of the May 8 1996 Resolution. Kenny Givan seconded this motion, which carried unanimously.

There being no further business to be brought before the Council, Larry Hesson moved to adjourn, Gene Ploughe seconded and the meeting was adjourned.

ATTEST:

Mary Jane Russell - Secretary
dlk 7/12/96

H. Hunt Palmer - President

AMENDMENT TO 1996 HENDRICKS COUNTY SALARY ORDINANCE

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WHEREAS, enumerated below is an amendment to the listed County appropriations and the approved salaries for 1996; and

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DEPARTMENT APPROPRIATION	ORIGINALLY REQUESTED	REQUESTED FOR APPROVAL	
01-084-150	13913.00	14560.00	NOTE A
01-105-181	26917.00	29785.86	NOTE B
01-105-182	26917.00	29785.86	NOTE B
01-105-184	14560.00	16781.96	NOTE C
01-131-124	19397.00	20889.96	NOTE D
01-137-161	19637.00	23130.90	NOTE B
02-201-111	32214.00	34999.90	NOTE E
02-201-112	27789.00	30999.80	NOTE E

NOTE A: Upgrade to all Grade 4 position rates in accordance with June 4, 1996, Hendricks County Council approval.

NOTE B: Promotions within department requiring fund transfers.

NOTE C: Cathy Reeder transfer from Jail to Sheriff Department requiring fund transfer.

NOTE D: Approval of Lesa Wagner position upgrade in accordance with April 2, 1996, Hendricks County Council approval.

NOTE E: Approval of Russell Lawson and Martin Summers rate upgrade in accordance with May 8, 1996, Hendricks County Council approval.

THE 1996 AMENDMENT HENDRICKS COUNTY SALARY ORDINANCE AS APPROVED ON THIS

3rd DAY OF September, 1996 BY:

H. Hunt Palmer
Council President

John A. Haum
Council Vice-President

John D. Chappitt
Board of Commissioners President

Resolution No. 1996-5

WHEREAS, the Hendricks County Redevelopment Commission (the "Redevelopment Commission") adopted its Resolution No. 96-1 (the "Resolution") and approved an economic development plan designated as the Pittsboro, Indiana, Economic Development Plan, Economic Development Area # 2 (the "Plan"); and

WHEREAS, the Resolution designates an area known as the Hendricks County Economic Development Area Number 2 (the "Area"), as an economic development area pursuant to I.C. § 36-7-14-41 and an allocation area pursuant to I.C. § 36-7-14-39; and

WHEREAS, the Redevelopment Commission has submitted the Resolution and the Plan to this Board of Commissioners of the County of Hendricks, Indiana (the "Board"), and

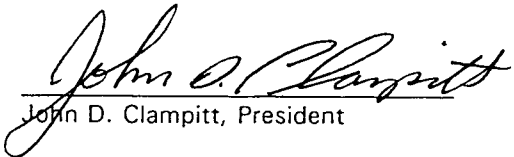
WHEREAS, the Hendricks County Area Plan Commission (the "Plan Commission") on July 9, 1996, approved and adopted a resolution (the "Approving Order") approving the Resolution and the Plan and determining that the Resolution and the Plan conform to the plan of development for Hendricks County, Indiana, and has submitted the Approving Order to this Board.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Hendricks, Indiana, as follows:

- 1) The Board hereby approves the Approving Order of the Plan Commission.
- 2) The Board hereby approves the determination that the Area is an economic development Area pursuant to I.C. § 36-7-14-41.
- 3) The Board hereby provides that the property tax credit provided for in § 36-7-14-39.5(c) does not apply in the Area.
- 4) This Resolution shall be in full force and effect from and after its adoption by the Board.

Passed by the Board of Commissioners of the County of Hendricks, Indiana, this 15 day of July, 1996.

BOARD OF COMMISSIONERS OF THE COUNTY
OF HENDRICKS, INDIANA


John D. Clampitt, President

Hursel C. Disney, Commissioner


Richard P. Myers, Commissioner

ATTEST:


Auditor of Hendricks County, Indiana

1996-6

**CONFIRMATORY RESOLUTION OF THE BOARD OF
COMMISSIONERS OF HENDRICKS COUNTY,
INDIANA CONCERNING THE REVENUE RECEIVED FROM THE
HENDRICKS COUNTY CUMULATIVE BRIDGE FUND
FOR THE YEAR 1995, PAYABLE IN 1996**

WHEREAS, the Hendricks County Board of Commissioners, on July 5, 1994, adopted a Resolution establishing the Cumulative Bridge Fund under the authority of I.C. 8-16-3; and,

WHEREAS, the Hendricks County Board of Commissioners, in accordance with I.C. 8-16-3, determined that the tax levy for said Cumulative Bridge Fund would not exceed a rate of \$.13 per each \$100 of Assessed Valuation, for a period not to exceed five years, beginning with the taxes payable in the year 1995; and,

WHEREAS, proper documentation was filed with the Indiana State Board of Tax Commissioners to establish this Cumulative Bridge Fund; and,

WHEREAS, on October 19, 1994, the Indiana State Board of Tax Commissioners issued an ORDER approving the establishment of the Cumulative Bridge Fund in the amount of \$.13 on each \$100 of taxable personal and real property within the County; and,

WHEREAS, the Hendricks County Board of Commissioners have determined that said rate of \$.13 per each \$100 of assessed valuation, can and shall generate more revenue than is necessary in 1996, with a detrimental effect on the frozen maximum levy and the General Fund revenue, and therefore agree to establish a levy amount, rather than a tax rate for the year 1995, payable in 1996, with the levy amount not to exceed \$659,391.00, in order to assist the Hendricks County Council in adopting a County Budget within the maximum levy limitations;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

THE BOARD OF HENDRICKS COUNTY COMMISSIONERS hereby approves a levy amount of \$659,391.00 in the Cumulative Bridge Fund for deposit into the Cumulative Bridge Fund for the taxes payable in 1996.

ADOPTED THIS 25TH DAY OF SEPTEMBER, 1995.

**HENDRICKS COUNTY
BOARD OF COMMISSIONERS**


HURSEL C. DISNEY


JOHN D. CLAMPITT


RICHARD P. MYERS

ATTEST:


**MARY JANE RUSSELL
HENDRICKS COUNTY AUDITOR**

Nelle

RESOLUTION NO. 1996-8

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF
HENDRICKS, INDIANA, APPROVING THE DESIGNATION OF AN ECONOMIC
DEVELOPMENT AREA FOR THE THEME PARK

WHEREAS, the Hendricks County Redevelopment Commission (the "Redevelopment Commission") adopted its Resolution No. 96-____ (the "Resolution") and approved an economic development plan designated as the Theme Park Economic Development Plan, Hendricks County, Indiana, Economic Development Area No. 3 (the "Plan"); and

WHEREAS, the Resolution designates an area known as the Hendricks County Economic Development Area Number 3 (the "Area"), as an economic development area pursuant to I.C. 36-7-14-41 and an allocation area pursuant to I.C. 36-7-14-39; and

WHEREAS, the Redevelopment Commission has submitted the Resolution and the Plan to this Board of Commissioners of the County of Hendricks, Indiana (the "Board"); and

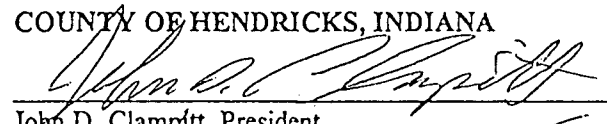
WHEREAS, the Hendricks County Area Plan Commission (the "Plan Commission") on October 16th, 1996, approved and adopted a resolution (the "Approving Order") approving the Resolution and the Plan and determining that the Resolution and the Plan conform to the plan of development for Hendricks County, Indiana, and has submitted the Approving Order to this Board.

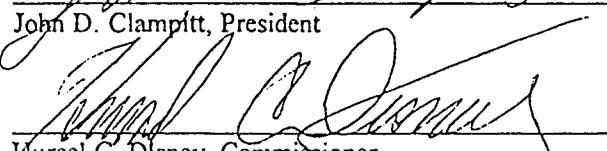
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Hendricks, Indiana, as follows:

1. The Board hereby approves the Approving Order of the Plan Commission.
2. The Board hereby approves the determination that the Area is an economic development Area pursuant to I.C. 36-7-14-41.
3. The Board hereby provides that the property tax credit provided for in I.C. 36-7-14-39.5(c) does not apply in the Area.
4. This Resolution shall be in full force and effect from and after its adoption by the Board.

Passed by the Board of Commissioners of the County of Hendricks, Indiana, this 17th day of October, 1996.

BOARD OF COMMISSIONERS OF THE
COUNTY OF HENDRICKS, INDIANA


John D. Clampitt, President


Mursel C. Disney, Commissioner

Richard P. Myers, Commissioner

ATTEST:

Auditor of Hendricks County, Indiana

EMERGENCY APPROPRIATION RESOLUTION

Whereas, certain extraordinary emergencies have developed since the adoption of the existing budget, so that it is necessary to appropriate more money than was appropriated in the annual budget; therefore, to meet such extraordinary emergencies:

Sec. 1. Be it resolved by the County Council of Hendricks County, Indiana, that for the expense of said county the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein and for the purpose herespecified, subject to the laws governing the same:

		<u>REQUESTED</u>	<u>APPROVED</u>
<u>GENERAL FUND</u>			
1. Surveyor - J Barnett Salary	01-106-117	\$ 687.48	\$ <u>687.48</u>
2. Surveyor - J Stevenson Salary	01-106-118	\$5,566.80	\$ <u>5,566.80</u>
3. Guilford Township Assessor	01-111-111	\$1,000.00	\$ <u>TABLE</u>
4. Engineer - L Alverson Salary	01-143-114	\$4,163.53	\$ <u>TABLE</u>
5. Engineer - C Stoutenour Salary	01-143-117	\$2,377.53	\$ <u>TABLE</u>
6. Engineer - D Williams Salary	01-143-119	\$1,854.00	\$ <u>TABLE</u>
7. Engineer - R Salsman Salary	01-143-120	\$1,217.00	\$ <u>TABLE</u>
8. Engineer - J Estel Salary	01-143-121	\$2,566.40	\$ <u>TABLE</u>
9. Engineer - E Servies Salary	01-143-122	\$3,403.40	\$ <u>TABLE</u>
10. Superior Probation Salary	01-151-121	\$5,079.00	\$ <u>5,079.00</u>
	TOTAL	27,9054.14	\$ <u> </u>

HOME DETENTION FEES FUNDS

11. Automobile	16-322-449	\$1,170.00	\$ <u>TABLE</u>
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CUMULATIVE CAPITAL DEVELOPMENT FUND

12. Ross Drain Modification	20-202-___	\$26,000.00	\$ <u>26,000.</u>
13. Master Thoroughfare Plan	20-202-366	\$50,000.00	\$ <u>TABLE</u>
	TOTAL	\$76,000.00	\$ <u> </u>

ADOPTED THIS 2ND DAY OF JANUARY, 1996 BY THE FOLLOWING VOTE:

AYE**NAY**

H. Hunt Palmer #1 #10
James R. Allen
Walter J. Smith
John A. Wayne
Thomas E. Plouffe

No on #2 H. Hunt Palmer

ATTEST:
dks

Mary Jane Russell
Mary Jane Russell, Secretary

H. Hunt Palmer
H. Hunt Palmer, President

**CONFIRMATORY RESOLUTION OF THE HENDRICKS COUNTY COUNCIL
CONCERNING THE TAX RATE LEVIED FOR THE
HENDRICKS COUNTY DIVISION OF FAMILY AND CHILDREN
FOR THE YEAR 1996, PAYABLE IN 1997**

WHEREAS, the Hendricks County Council, on August 19, 1996, adopted a Resolution authorizing the Hendricks County Department of Family and Childred to exceed the maximum levy for tax collection for the year 1996 payable in 1997; and,

WHEREAS, proper documentation was filed with the Indiana State Board of Tax Commissioners to establish this levy excess; and,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

THE HENDRICKS COUNTY COUNCIL hereby authorizes the Hendricks County Division of Family and Children to establish a tax rate which will generate revenue in excess of the frozen levy amount for the year 1996 payable in 1997.

ADOPTED THIS 19TH DAY OF AUGUST, 1996.

HENDRICKS COUNTY COUNCIL



H. HUNT PALMER, PRESIDENT

ATTEST: 
MARY JANE RUSSELL
HENDRICKS COUNTY AUDITOR

8.19.96
dks

1996-1

Does not exist.

1996-2 Was given
out in error.

RESOLUTION NO. 1996-2

RESOLUTION OF THE COUNTY COUNCIL
THE COUNTY OF HENDRICKS, INDIANA

WHEREAS, the Hendricks County Council is in need of new motor vehicles for various departments from time to time.

WHEREAS, the County has expenses for the maintenance and repair of existing motor vehicles.

WHEREAS, the Sheriff of Hendricks County may elect to house Department of Correction's prisoners in the Hendricks County jail.

WHEREAS, The Department of Corrections will pay the Sheriff of Hendricks County for housing Department of Correction's prisoners.

WHEREAS, the Sheriff of Hendricks County as well as other County departments are in constant need of maintaining motor vehicles.

WHEREAS, the County Council wishes to preserve a portion of those funds received by the Sheriff by the Department of Corrections for maintaining, repairing and replacing all County owned motor vehicles.

WHEREAS, the County Council wishes to establish a dedicated fund into which said funds shall be placed.

NOW, THEREFORE, BE IT RESOLVED by the County Council of the County of Hendricks, Indiana, as follows:

1. A dedicated fund shall be established for the purpose of maintaining, repairing and replacing County owned motor vehicles and accessories.

2. A portion of the funds received by the Hendricks County Sheriff for housing Department of Correction's inmates shall be placed in that dedicated fund.

3. This Resolution shall be in full force and effect from and after its adoption by the County Council.

Passed by the County Council of the County of Hendricks, Indiana, this 6th day of December, 1995.

probably
was signed
Feb 6, 1996

COUNTY COUNCIL OF THE
COUNTY OF HENDRICKS, INDIANA

H. Hunt Palmer

John D. Daum

J. H. H. H. H.

Anna E. Plouffe

ATTEST:

Mary Jane Russell

RESOLUTION OF THE COUNTY COUNCIL OF
HENDRICKS COUNTY, INDIANA

WHEREAS, Hendricks County, Indiana (the "Issuer"), is authorized by IC 36-7-11.9 and 12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities, and said facilities to be either sold or leased to a company or directly owned by a company; and

WHEREAS, Harlan Bakeries, Inc. and a to-be-formed Indiana business entity, 100% ownership of which will be by members of the Harlan family, including one or more of the following, Hal P. Harlan, Hugh P. Harlan and Doug H. Harlan (collectively, the "Applicant"), has advised the Hendricks County Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer lend proceeds of an economic development financing to the Applicant for the construction of 60,000 square feet of additional bakery space and the acquisition and installation of new machinery and equipment and the installation of used machinery and equipment to be used in the Applicant's business of the production of frozen and baked bagels, to be installed in the Applicant's existing facility located at 7597 East U.S. Highway 36, in the Town of Avon, in Hendricks County, Indiana (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities (approximately 100 new jobs) to be achieved by the acquisition and equipping of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it is tentatively found that the acquisition and equipping of the Project will not have an adverse competitive effect on any similar facility already constructed or operating in Hendricks County, Indiana;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, as follows:

1. The County Council of Hendricks County finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Hendricks County, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that the Commission and the Issuer take such action as they lawfully may to encourage economic development, diversification of industry and promotion of job opportunities in and near the Issuer.

2. The County Council of Hendricks County approves, determines, ratifies and confirms that the issuance and sale of economic development revenue bonds in an amount of approximately \$8,500,000 of the Issuer under the Act for the lending of the proceeds of the revenue bonds to the Applicant, for the acquisition and equipping of the Project will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition and equipping of the Project, the County Council of Hendricks County hereby approves, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds; and that the aforementioned purposes comply with the provisions of the Act; and (iii) it will use its best efforts at the request of Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in I.C. 36-7-12-1] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant.

4. All costs of the Project incurred after the date which is 60 days prior to the date of adoption of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, a portion of the interest paid during acquisition and equipping, underwriting expenses, attorney and bond counsel fees, acquisition and equipping of the Project will be permitted to be included as part of the bond

issue to finance the Project, and the Issuer will lend the proceeds from the sale of the bonds to the Applicant for the same purposes. Also, certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

5. This resolution shall constitute "official action" for purposes of compliance with federal and state laws requiring governmental action as authorization for future reimbursement from the proceeds of bonds.

Adopted this 5th day of February, 1996.

HENDRICKS COUNTY COUNCIL

W. Hunt Palmer
John A. Naum
J. H. Hines
Anna E. Ploughe
James R. Hixon

(SEAL)

Attest:

Mary Jane Russell as
Auditor

EXCERPTS FROM MINUTES OF A MEETING OF THE
COUNTY COUNCIL OF HENDRICKS COUNTY
OF FEBRUARY 5, 1996

The County Council of Hendricks County met at the Government Center, Commissioner's Room, in the Town of Danville, on the 5th day of February, 1996, at the hour of 1:00 p.m., pursuant to notice duly given pursuant to statute.

The meeting was called to order by the presiding officer, H. Hunt Palmer
_____, who presided.

On call of the roll, the members of the County Council were shown to be present or absent as follows:

Present:

H. Hunt Palmer
John A. "Bud" Daum
J. K. Givan
V. Eugene Ploughe
Larry R. Hesson

Absent:

Richard G. Turpin
Lydia A. Gibbs

Consideration was given to a request by Harlan Bakeries, Inc. and a to-be-formed Indiana business entity to be owned by members of the Harlan family, including one or more of the following, Hal P. Harlan, Hugh P. Harlan and Doug H. Harlan (collectively, the "Applicant") for the financing of certain economic development facilities by Hendricks County, Indiana. A discussion was had as to the proposal of the Applicant concerning the financing of the facilities to be located in the Town of Avon, in Hendricks County, Indiana.

The Presiding Officer read a proposed form of resolution regarding said financing. The Presiding Officer then put the question of consent for adoption of the resolution on the same day and at the same meeting to the Council on call of the roll. Such consent was given by the

following vote:

Ayes: H. Hunt Palmer
John A. "Bud" Daum
J. K. Givan
V. Eugene Ploughe
Larry R. Hesson

Nays:

It was then moved by J. K. Givan, seconded by John A.
"Bud" Daum, that the following resolution authorizing, ratifying and confirming
said inducement be adopted. Said resolution is in words and figures following, to-wit:

(H. I.)

Said resolution was adopted by the following vote:

Ayes: H. Hunt Palmer
John A. "Bud" Daum
J. K. Givan
V. Eugene Ploughe
Larry R. Hesson

Nays:

* * *

I, Mary Jane Russell, the duly qualified and acting Auditor of Hendricks County, Indiana, do hereby certify that the above and foregoing is a true and exact excerpt of minutes of the meeting of the County Council of Hendricks County, Indiana, at which meeting a quorum was in attendance and acting throughout, and held February 5, 1996 as such appears in the official minutes of said County Council in my custody.

Mary Jane Russell
Auditor
Hendricks County, Indiana

(SEAL)

HENDRICKS COUNTY COUNCIL

RESOLUTION NO. 1996-4

**RESOLUTION FOR THE ISSUANCE OF REVENUE BONDS
FOR AN ECONOMIC DEVELOPMENT PROJECT OF
AQUA SYSTEMS, INC. OR ITS NOMINEE**

WHEREAS, the County of Hendricks, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and 12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities; and

WHEREAS, Aqua Systems, Inc., or its nominee (the "Applicant"), has advised the Issuer that it proposes that the Issuer lend proceeds of an economic development financing to the Applicant for the acquisition, construction, installation and equipping of an approximate twenty-five thousand six hundred (25,600) square foot manufacturing and warehouse facility on a one and seven-tenths (1.7) acre site located at 7785 E. Highway 36 -- Backlot Vista Park in the Town of Avon, Indiana, and the acquisition, construction and installation of machinery, fixtures, equipment and site improvements to be used in connection with the facility to be constructed (the "Project"). The total cost of the Project is presently estimated to be approximately One Million One Hundred Thousand Dollars (\$1,100,000), including incidental costs of issuance of the economic development revenue bonds; and

WHEREAS, the diversification of industry and relocation and increase in jobs (approximately twenty-five (25) new jobs within three (3) years) to be achieved by the acquisition of the Project will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project generally would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it is tentatively found that the acquisition of the Project will not have an adverse competitive effect on any similar facility already constructed or operating near or in Avon, Indiana, or Hendricks County, Indiana.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF THE COUNTY OF HENDRICKS, AS FOLLOWS:

1. The County Council of the County of Hendricks hereby finds, determines, ratifies and confirms that the promotion of diversification of economic development and job opportunities in and near Avon, Indiana, and Hendricks County, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer; and that it is in the public interest that the Hendricks County Economic

Development Commission and the Issuer take such action as they lawfully may to encourage economic development, diversification of industry and promotion of job opportunities in and near the Issuer.

2. The County Council of the County of Hendricks, Indiana, hereby approves, determines, ratifies and confirms that the issuance and sale of economic development revenue bonds in an amount of no more than One Million One Hundred Thousand Dollars (\$1,100,000) of the Issuer under the Act for the lending of the proceeds of the revenue bonds to the Applicant for the acquisition and equipping of the Project will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition of the Project, the County Council of the County of Hendricks, Indiana, hereby approves, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds; and that the aforementioned purposes comply with the provisions of IC 36-7-11.9 and 12; and (iii) it will use its best efforts at the request of Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose, as defined in IC 36-7-12-1 at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of IC 36-7-11.9 and 12.

4. All costs of the Project incurred after the adoption of this inducement resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, and acquisition and equipping of the Project will be permitted to be included as part of the bond issue to finance the Project, and the Issuer will lend the proceeds from the sale of the bonds to the Applicant for the same purposes. Also, certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be, as permitted by law, included as part of the bond issue to finance the Project.

5. The liability and obligation of the County Council of the County of Hendricks, Indiana, shall be limited solely to good faith efforts to consummate the proceedings leading to the issuance of the County's economic development bonds to finance the acquisition, construction, installation and equipping of the Project and the economic development bonds, if issued, shall never constitute a general obligation of, or indebtedness of, or a charge against the general credit of the County of Hendricks, Indiana, and shall not be payable to any extent from revenue raised by taxation. Neither

the County Council or the County or their officers or agents, shall incur any liability if for any reason the proposed issuance of said economic development bonds is not consummated.

6. This Resolution shall be in full force and effect from and after its passage.

Passed by the County Council of the County of Hendricks, Indiana, this 8th day of May, 1996.

HENDRICKS COUNTY COUNCIL

Jerry R. Hesson
Lydia R. Gellie
H. Hunt Palmer
J. H. H. H. H.
John A. H. H.
Richard H. Imperi

ATTEST:

Mary Jane Russell ds
Auditor

RESOLUTION NO. 1996-7

RESOLUTION OF THE HENDRICKS COUNTY AREA PLAN
COMMISSION APPROVING THE RESOLUTION AND THE PLAN
OF THE HENDRICKS COUNTY REDEVELOPMENT COMMISSION

WHEREAS, the Hendricks County Redevelopment Commission has approved and adopted its Resolution No. 96-___ (the "Resolution") and its economic development plan designated as the Theme Park Economic Development Plan, Hendricks County, Indiana, Economic Development Area No. 3 (the "Plan"); and

WHEREAS, the Resolution designates an area known as the Hendricks County Economic Development Area Number 3 (the "Area") as an allocation area pursuant to I.C. 36-7-14-39 and an economic development area pursuant to I.C. 36-7-14-41; and

WHEREAS, the Redevelopment Commission has submitted the Resolution, supporting data and the Plan to this Area Plan Commission.

NOW, THEREFORE, BE IT RESOLVED by the Hendricks County Area Plan Commission as follows:

1. The Resolution and the Plan for the Area conform to the plan of development for Hendricks County, Indiana.
2. This Plan Commission hereby approves the Resolution and the Plan.
3. This Resolution constitutes written order of the Hendricks County Area Plan Commission approving the Resolution and the Plan, pursuant to I.C. 36-7-14-16(a)

Passed by the Hendricks County Area Plan Commission on this 16th day of October, 1996.

C. Richard Whicker Edward J. Spaldin
John Groves Tommy D. Eppes
Russell E. Helms _____

Constituting a Majority of the Hendricks County Area Plan Commission

