

ORDINANCE NO. 1998-1

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM I-4: INDUSTRIAL PARK DISTRICT, TO PUD: PLANNED UNIT DEVELOPMENT DISTRICT. COMMONLY KNOWN AS ZA-178/WA97-15: THE LEWIS GROUP, INC., WASHINGTON TOWNSHIP, PARCEL TOTALING 106.00 ACRES, LOCATED ON THE SOUTHWEST CORNER OF COUNTY ROAD 100 SOUTH AND RACEWAY ROAD.

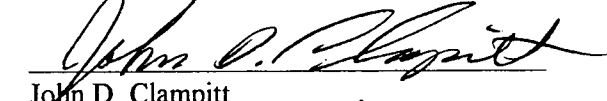
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the PUD: Planned Unit Development District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-178/WA97-15: The Lewis Group, Inc., S17-T15N-R2E, 106.00 acres, Washington Township, located on the southwest corner of County Road 100 South and Raceway Road.

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.

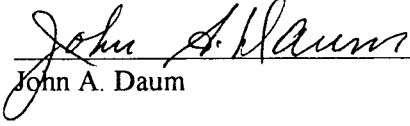
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 20 day of January, 1998.

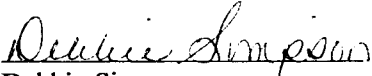
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

1998

ORDINANCE NO. 1998-2

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT. COMMONLY KNOWN AS ZA-184/WA98-01: JOHN URBAHNS, WASHINGTON TOWNSHIP, PARCEL TOTALING 56.00 ACRES, LOCATED AT THE SOUTHEAST CORNER OF STATE ROAD 267 AND COUNTY ROAD 150 SOUTH.


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, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-184/WA98-01: John Urbahns, S14-T15N-R1E, 56.00 acres, Washington Township, located at the southeast corner of State Road 267 and County Road 150 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.

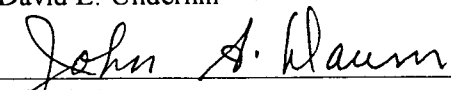
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 20 day of January, 1998.

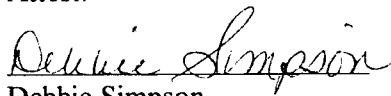
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-3

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM SC: **SHOPPING CENTER DISTRICT**, TO C-2: **GENERAL COMMERCIAL DISTRICT**. COMMONLY KNOWN AS **ZA-185/WA98-02: RACEWAY ROAD, LLC, WASHINGTON TOWNSHIP**, PARCEL TOTALING **12.80 ACRES**, LOCATED ON THE SOUTHWEST CORNER OF RACEWAY ROAD AND U. S. HIGHWAY 36.


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-185/WA98-02: Raceway Road, LLC, S8-T15N-R2E, 12.80 acres, Washington Township, located on the southwest corner of Raceway Road and U. S. Highway 36.

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.

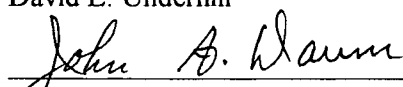
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 20 day of January, 1998.


Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NUMBER 1998-4

FEBRUARY 9, 1998

ORDINANCE FOR ENDORSEMENT FEE INCREASE FOR PLAT BOOKS

WHEREAS, in accordance with Indiana Code 36-2-9-18(d), the Auditor of Hendricks County may collect a fee of Three Dollars (\$3.00) for each real property endorsement made by the Auditor; and

WHEREAS, said sum collected shall be placed in a dedicated fund for the use of maintaining plat books; and

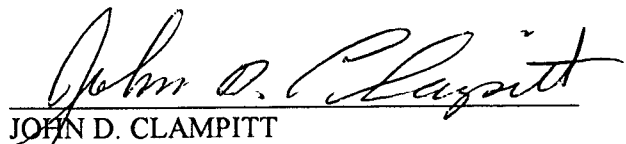
WHEREAS, the Board of Commissioners of Hendricks County, Indiana is the governing body for said Auditor and County; and

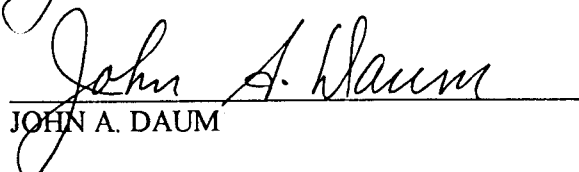
BE IT THEREFORE ORDAINED that in accordance with Indiana Code 36-2-9-18(d), the Auditor of Hendricks County, Indiana may collect a fee of Three Dollars (\$3.00) for each real property endorsement made by the Auditor of Hendricks County, Indiana.

BE IT FURTHER ORDAINED that such fee shall in addition to any other fee provided by law and shall be placed in a dedicated fund for the use of maintaining plat books.

BE IT FURTHER ORDAINED that the Auditor of Hendricks County, Indiana shall have the authority to collect a fee of Three Dollars (\$3.00) for each real property endorsement made by that office. Such fee shall be in addition to any other fee provided by law and shall be placed in a dedicated fund for the use of maintaining plat books.

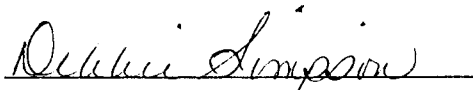
DULY EXECUTED this 9th day of February, 1998.


JOHN D. CLAMPITT


JOHN A. DAUM


DAVID E. UNDERHILL

ATTEST:



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 hearing on Monday, February 9, 1998, 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 2-9-98

ATTEST: Debbie Simpson
Auditor

Hendricks County
Board of Commissioners

John D. Clampitt
John D. Clampitt

John A. Daum
John A. Daum

David E. Underhill
David E. Underhill

BOARD OF HENDRICKS COUNTY
COMMISSIONERS

ORDINANCE NO. 1998-6

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-186/WA98-03: MARK VAN VALKENBURG, WASHINGTON TOWNSHIP, PARCEL TOTALING 0.40 ACRES, LOCATED ON THE SOUTHWEST CORNER OF U.S. HIGHWAY 36 AND COUNTY ROAD 625 EAST.

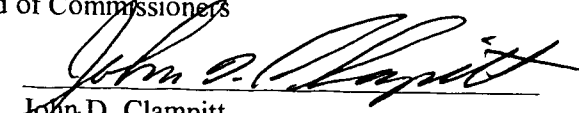
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-186/WA98-03: Mark Van Valkenburg, S10-T15N-R1E, 0.40 acres, Washington Township, located on the southwest 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.

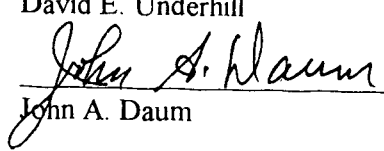
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 16th day of March, 1998.

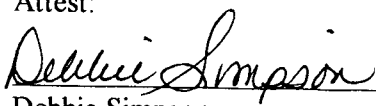
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-7

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-187/CE98-02: REECE FUEHRER, CENTER TOWNSHIP, PARCEL TOTALING 1.42 ACRES, LOCATED ON THE EAST SIDE OF COUNTY ROAD 200 EAST, 0.50 MILE NORTH OF U.S. HIGHWAY 36.

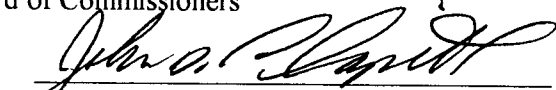
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-187/CE98-02: Reece Fuehrer, S1-T15N-R1W, 1.42 acres, Center Township, located on the east side of County Road 200 East, 0.50 mile north of U.S. Highway 36.

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.

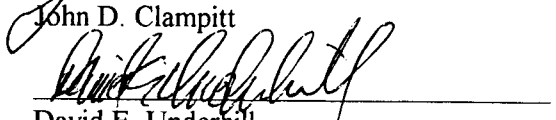
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 20 day of April, 1998.

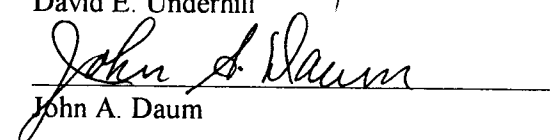
Board of Commissioners



John D. Clampitt

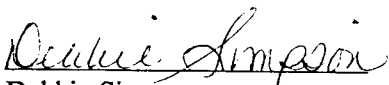


David E. Underhill



John A. Daum

Attest:



Debbie Simpson
Auditor

ORDINANCE NO. 1998-8

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT AND R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO PUD: PLANNED UNIT DEVELOPMENT DISTRICT. COMMONLY KNOWN AS ZA-188/WA98-04: CEDAR RUN, WASHINGTON TOWNSHIP, PARCEL TOTALING 196.27 ACRES, LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 200 NORTH AND RACEWAY ROAD, 0.8 MILE SOUTH OF THE INTERSECTION OF COUNTY ROAD 200 NORTH AND RACEWAY ROAD, AND AT THE INTERSECTION OF COUNTY ROAD 200 NORTH AND COUNTY ROAD 1050 EAST, ON THE NORTH SIDE OF COUNTY ROAD 200 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 PUD: Planned Unit Development District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-188/WA98-04: Cedar Run, S29&32-T16N-R2E, 196.27 acres, Washington Township, located on the south side of County Road 200 North and Raceway Road, 0.8 mile south of the intersection of County Road 200 North and Raceway Road, and at the intersection of County Road 200 North and County Road 1050 East, on the north side of County Road 200 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 20 day of April, 1998.

Board of Commissioners

John D. Clampitt
John D. Clampitt

David E. Underhill
David E. Underhill

John A. Daum
John A. Daum

Attest:

Debbie Simpson
Debbie Simpson
Auditor

ORDINANCE NO. 1998-9

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: **LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT**, TO C-4: **HIGHWAY COMMERCIAL DISTRICT**. COMMONLY KNOWN AS ZA-189/MI98-01: **DONALD CARLTON, MIDDLE TOWNSHIP, PARCEL TOTALING 1.004 ACRES, LOCATED ON THE EAST SIDE OF COUNTY ROAD 425 EAST, 0.50 MILE NORTH OF COUNTY ROAD 225 NORTH.**

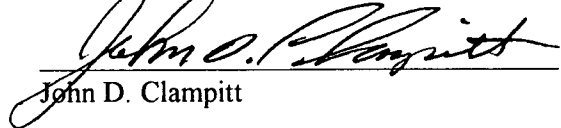
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-189/MI98-01: Donald Carlton, S29-T16N-R1E, 1.004 acres, Middle Township, located on the east side of County Road 425 East, 0.50 mile north of County Road 225 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.

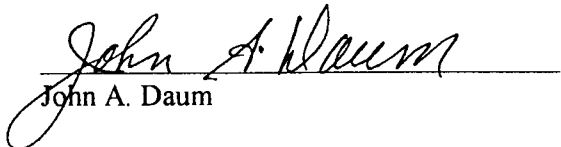
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 18 day of May, 1998.

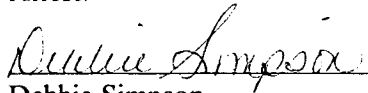
Board of Commissioners


John D. Clampitt

David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-10

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO PUD: PLANNED UNIT DEVELOPMENT DISTRICT. COMMONLY KNOWN AS ZA-190/WA98-05: MAC STORAGE COMPANY, WASHINGTON TOWNSHIP, PARCEL TOTALING 45.10 ACRES, LOCATED ON THE WEST SIDE OF COUNTY ROAD 1050 EAST (SHILOH ROAD), AND ON THE NORTH SIDE OF COUNTY ROAD 100 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 PUD: Planned Unit Development District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-190/WA98-05: Mac Storage Company, S32-T16N-R2W, 45.10 acres, Washington Township, located on the west side of County Road 1050 East (Shiloh Road), and on the north side of County Road 100 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.

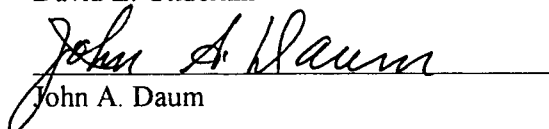
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 18 day of may, 1998.

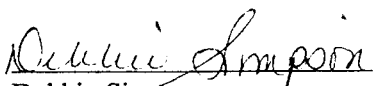
Board of Commissioners


John D. Clampitt

David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-11

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT. COMMONLY KNOWN AS ZA-191/WA98-06: RYAN COTTONGIM, ET AL, WASHINGTON TOWNSHIP, PARCEL TOTALING 81.00 ACRES, LOCATED ON THE NORTH SIDE OF COUNTY ROAD 100 NORTH, 0.28 MILE WEST OF COUNTY ROAD 600 EAST AND ON THE WEST SIDE OF COUNTY ROAD 600 EAST, 0.39 MILE NORTH OF COUNTY ROAD 100 NORTH.

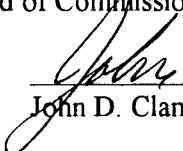
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the R-2: Medium Density, Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-191/WA98-06: Ryan Cottongim, Et Al, S33-T16N-R1E, 81.00 acres, Washington Township, located on the north side of County Road 100 North, 0.28 mile west of County Road 600 East and on the west side of County Road 600 East, 0.39 mile north of County Road 100 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 18 day of May, 1998.

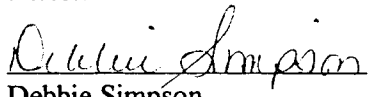
Board of Commissioners


John D. Clampitt

David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-12

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-5: HIGH DENSITY, MULTI-FAMILY RESIDENTIAL DISTRICT, TO PUD: PLANNED UNIT DEVELOPMENT DISTRICT. COMMONLY KNOWN AS ZA-192/GU98-01: CEDAR RUN LIMITED, GUILFORD TOWNSHIP, PARCEL TOTALING 9.82 ACRES, LOCATED AT THE NORTHWEST CORNER OF COUNTY ROAD 900 SOUTH (COUNTY LINE ROAD) AND THE RELOCATED RACEWAY ROAD.

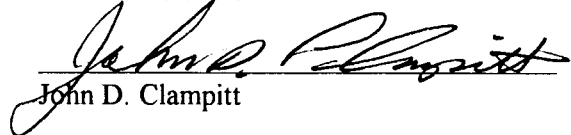
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the PUD: Planned Unit Development District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-192/GU98-01: Cedar Run Limited, S20-T14N-R2E, 9.82 acres, Guilford Township, located at the northwest corner of County Road 900 South (County Line Road) and the relocated Raceway Road.

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.

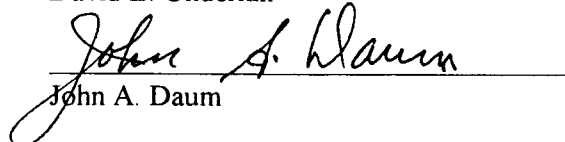
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 18 day of may, 1998.


Board of Commissioners


John D. Clampitt

David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

1998-12A

**AN ORDINANCE REGULATING SOLID WASTE PROCESSING FACILITIES
AND
SOLID WASTE LAND DISPOSAL FACILITIES
IN
HENDRICKS COUNTY, INDIANA**

Whereas, the Hendricks County Commissioners find it necessary to regulate the processing and disposal of solid waste in Hendricks County, and

Whereas, Hendricks County relies on the expertise of the Indiana Department of Environmental Management (I.D.E.M) in developing state wide rules regarding the processing and disposal of solid waste; and

Whereas, the I.D.E.M. regulates these facilities through 329 IAC 10,11, and IC 13-20;

Be it Ordained and enacted by the Board of County Commissioners of Hendricks County, State of Indiana, Ordinance # 12 regulating the processing and disposal of solid waste on lands situated within Hendricks County, Indiana, requiring permits, and providing penalties for violations thereof to read as follows:

Section 1. Definitions Specific to This Ordinance

Health Officer - shall have the same meaning as local health officer in Indiana Code IC 16-18-2-212 and IC 16-20

Section 2. The owner of and/or operator of any solid waste processing facility or solid waste land disposal facility located in Hendricks County, State of Indiana, shall operate the facility in compliance with the terms and conditions contained in this Ordinance.

Section 3. (a) Hendricks County will regulate Solid Waste Land Disposal Facilities by establishing a permitting system for enforcing these standards set forth on, amended to, and incorporated by reference from the following sections of 329 IAC 10: Rule 1. General Provisions, Rule 2. Definitions, Rule 3. Exclusions, Rule 20. Municipal Solid Waste Landfills; Operational Requirements, Rule 22 Municipal Solid Waste Landfills; Closure Requirements, Rule 23. Municipal Solid Waste Landfills; Post-Closure Requirements.

Hendricks County will regulate Solid Waste Processing Facilities by establishing a permitting system for enforcing these standards set forth on, amended to, and incorporated by reference from the following sections of 329 IAC 11: Rule 1. General Provisions, Rule 2. Definitions, Rule 3. Exclusions, Rule 13. Solid Waste Processing Facilities; Operational Requirements, Rule 21. Transfer Stations.

- (b) The incorporated materials are available for public review at the office of the Hendricks County Health Department.
- (c) Where exceptions(exclusions) to incorporated state rules are necessary, these exceptions will be noted in the text of this ordinance.
- (d) The incorporation of state regulations as a county ordinance does not negate the requirement to comply with state regulations which may be effective in Hendricks County which are not incorporated in this ordinance or are retained as state authority.

(e) EXCEPTIONS (exclusions):

- | | |
|----------------------------|---|
| (1). 329 IAC 10-1-5 | Variances |
| (2). 329 IAC 10-3-1-(5) | Segregated Wastes |
| (3). 329 IAC 10-20-11 | Surface water run-on and run-off control |
| (4). 329 IAC 10-20-12 | Erosion and sedimentation control |
| (5). 329 IAC 10-22-6 | Final cover requirements - new |
| (6). 329 IAC 10-22-7 | Final cover requirements - existing |
| (7). 329 IAC 10-23-3(c)(5) | Post closure cost estimate leachate table |
| (8). 329 IAC 11-1-4 | Variances |
| (9). 329 IAC 11-3-1-(5) | Segregated Wastes |
| (10). 329 IAC 11-21-2 | Inspections and recovery of costs |

(f) AMENDMENTS:

- (1). 329 IAC 10-1-3 amended to read "Sec. 3 Penalties for violation of this ordinance shall be governed by IC 13-7-13-1, IC 13-7-13-3, IC 13-7-13-4."
- (2). 329 IAC 10-20-4-(b) amended to read "(b) Cattle, hogs, poultry, or other livestock are prohibited from any filled area."

Section 4. Except as otherwise provided in this Ordinance, any Solid Waste Processing Facility (S.W.P.F.) or Solid Waste Land Disposal Facility (S.W.L.D.F.) located in Hendricks County shall be operated in compliance with technical criteria and regulatory compliance set out in 329 IAC 10, 11, and IC 13-20.

Section 5. The owner and/or operator of any S.W.P.F. or S.W.L.D.F. required to obtain an operating permit pursuant to 329 IAC 10 and 329 IAC 11 shall also be required to obtain a permit to operate in Hendricks County.

Section 6. Application for a local permit must be made at least thirty(30) days prior to initial date of operation or permit expiration. Applicants must submit copies of all applicable federal, state, and local permits and approvals with Health Department application. The applicant shall be required to file a duplicate form of the application, copy of all plans and specifications by state required under 329 IAC 10 and 329 IAC 11 with the Hendricks County Health Department (H.C.H.D.).

Application must be made on forms provided by the Hendricks County Health Department. Local Operating permits shall be issued annually. Owners and/or operators of S.W.P.F. and S.W.L.D.F. located in Hendricks County which have I.D.E.M. operating permits on the effective date of this Ordinance will be presumed to be in compliance with the terms of this ordinance and will be issued a Local Permit by H.C.H.D. upon payment of the annual fee.

Section 7. An annual permit fee shall be required for each S.W.P.F. and S.W.L.D.F.; if a site contains more than one type of Solid Waste Facility, then a separate permit will be required for each facility.

Section 8. The permit fee will be set in the fee schedule overseeing the collection of fees. The annual fee is specified in the Hendricks County Ordinance for the Collection of Fees. Hendricks County reserves the right to waive permit fees for publicly owned and operated facilities.

Section 9. It shall be the responsibility of the facility owner and/or operator to submit to the Hendricks County Health Department the following reports, if applicable: quarterly waste disposal summary reports; groundwater monitoring well sample reports; stream sample reports; leachate recirculation reports; or other reports and notifications required by I.D.E.M.; and reports requested by the H.C.H.D or any other county, state, or federal department or agency.

Section 10. It shall be the duty of the Hendricks County Health Officer to enforce this Ordinance. The Health Officer is authorized by permittee to perform any activities that, in the Health Officer's opinion, are required to enforce this ordinance. These activities may include, but are not limited to: inspections, copying and reviewing documentation, obtaining solid waste samples, obtaining ground water samples, obtaining surface water samples, inspecting and sampling loads, monitoring activities, and other duties.

Section 11. Violators of the Ordinance shall be served a written initial notice of violation, whether in person or by any other manner reasonably decided to result in actual notice, including certified mail. Such order shall state the violation, order the abatement of the violation, and provide a reasonable time for abatement.

If the violation is not satisfactorily abated within the specified time, a second notice of violation shall be served, in the same manner as specified for initial notices and containing the same information as specified for initial notice of violation. If the conditions continue following the specified period of time, the matter shall be referred to the attorney for the Hendricks County Health Department for appropriate legal action and possible revocation or modification of permit, as specified in Section 12 of this Ordinance.

Section 12. Any permit granted by the H.C.H.D. may be revoked or modified by the Health Department for any of the following causes;

- A. Violation of any condition of the permit;
- B. Failure to disclose all of the relevant facts, or any misrepresentation made in obtaining the permit;
- C. Any change, situation, or activity relating to the use of the permit, which in the opinion of the Health Officer is not consistent with the purpose of this Ordinance.

Any person aggrieved by the revocation or modification of a permit may appeal the revocation or modification to the Hendricks County Board of Health as the appropriate board for an administrative review under IC 4-21.5-3, which Administrative Adjudication Act is hereby adopted by reference.


Pending the decision resulting from the hearing under I.C. 4-21.5-3 concerning the permit revocation or modification, the permit shall remain in force. However the H.C.H.D. may seek such injunctive relief in regard to the activity described in the permit while the decision resulting from the hearing is pending.


Section 13. Each section, subsection, sentence, clause, and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and the finding or holding of any section, subsection, sentence, clause, and phrase to be unconstitutional, invalid, void, or ineffective for any cause shall not affect another section, subsection, sentence, clause, and phrase or part thereof.

Section 14. This Ordinance shall apply to the entirety of Hendricks County. All ordinances and all portions of ordinances, including but not limited to the Hendricks County Ordinance No. 1979-9, and Ordinance No. 96-16, in conflict herewith are repealed or superseded. 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 1 day of June, 1998.

BOARD OF COUNTY COMMISSIONERS
Hendricks County, Indiana


John D. Clampitt, President


John A. Daum, Vice-President


David E. Underhill

ATTEST: 
Hendricks County Auditor

ORDINANCE NO. 1998-13

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-4: HIGHWAY COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-193/GU98-02: RICHARD ROST, GUILFORD TOWNSHIP, PARCEL TOTALING 0.07 ACRES, LOCATED AT THE SOUTHWEST INTERSECTION OF COUNTY ROAD 800 SOUTH AND STATE ROAD 67.

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-193/GU98-02: Richard Rost, S20-T14N-R2E, 0.07 acres, Guilford Township, located at the southwest intersection of County Road 800 South and State Road 67.

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 may, 1998.

Board of Commissioners

John D. Clampitt
John D. Clampitt

David E. Underhill

John A. Daum
John A. Daum

Attest:

Debbie Simpson
Debbie Simpson
Auditor

REVISED ORDINANCE NO. 1998-13

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-4: HIGHWAY COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-193/GU98-02: RICHARD ROST, GUILFORD TOWNSHIP, PARCEL TOTALING 0.7 ACRES, LOCATED AT THE SOUTHWEST INTERSECTION OF COUNTY ROAD 800 SOUTH AND STATE ROAD 67.

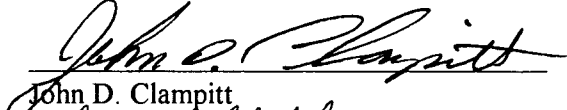
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-4: highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-193/GU98-02: Richard Rost, S20-T14N-R2E, 0.7 acres, Guilford Township, located at the southwest intersection of County Road 800 South and State Road 67.

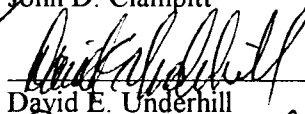
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

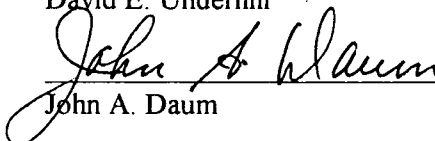
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 22 day of JUNE, 1998.

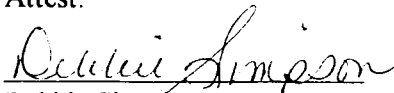
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-14

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-3: OFFICE COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-194/WA98-07: CEDAR RUN LIMITED, WASHINGTON TOWNSHIP, PARCEL TOTALING 28.4 ACRES, LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 36, 1.00 MILE EAST OF COUNTY ROAD 500 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-3: Office Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-194/WA98-07: Cedar Run Limited, S4-T14N-R1E, 29.4 acres, Washington Township, located on the north side of U.S. Highway 36, 1.00 mile east of County Road 500 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 18 day of may, 1998.

Board of Commissioners

John D. Clampitt
John D. Clampitt

David E. Underhill

John A. Daum
John A. Daum

Attest:

Debbie Simpson
Debbie Simpson
Auditor

ORDINANCE NO. 1998-15

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM C-3: **OFFICE COMMERCIAL DISTRICT**, TO C-2: **GENERAL COMMERCIAL DISTRICT**. COMMONLY KNOWN AS ZA-195/WA98-08: **DAN LASER, WASHINGTON TOWNSHIP, PARCEL TOTALING 2.73 ACRES, LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 36 AND COUNTY ROAD 525 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-195/WA98-08: Dan Laser, S9-T15N-R1E, 2.73 acres, Washington Township, located on the northwest corner of the intersection of U.S. Highway 36 and County Road 525 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 15 day of June, 1998.

Board of Commissioners

John D. Clampitt
John D. Clampitt

David E. Underhill
David E. Underhill

John A. Daum
John A. Daum

Attest:

Debbie Simpson
Debbie Simpson
Auditor

ORDINANCE NO. 1998-116

AN ORDINANCE AMENDING THE HENDRICKS COUNTY INDIANA
ZONING ORDINANCE BY AMENDING CHAPTER 2: DEFINITIONS AND
CHAPTER 29: SIGNS.

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, adopted the Hendricks County Zoning Ordinance on November 18, 1991;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Zoning Ordinance be amended by changing Chapter 2: Definitions and Chapter 29: Signs;

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

WHEREAS, the Board of County Commissioners received and reviewed the Plan Commission's report, considered the recommendations, and found the adoption of the recommended amendments 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:

1. Chapter 2: Definitions, Number 244 of the Hendricks County Zoning Ordinance is hereby amended and replaced by the following attached exhibit, being a true and accurate copy of the Area Plan Commission's recommended amendments;
2. Chapter 2: Definitions, Number 246 of the Hendricks County Zoning Ordinance is hereby added as an additional definition, requiring all subsequent definition numbers to be appropriately changed. The attached exhibit is a true and accurate copy of the Area Plan Commission's recommendation;
3. Chapter 29: Signs of the Hendricks County Zoning Ordinance is hereby amended and replaced by the following attached exhibit, being a true and accurate copy of the Area Plan Commission's recommended amendments; and
4. 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 County Commissioners of Hendricks County, Indiana,
this 22nd day of June, 1998.

BOARD OF COUNTY COMMISSIONERS

John D. Clampitt
John D. Clampitt, President

John A. Daum
John A. Daum, Vice President

Dave E. Underhill
Dave E. Underhill, Member

ATTEST:

Debbie Simpson
Debbie Simpson
Hendricks County Auditor

REPEALED
6-7-99
By Ord.# 1999-16

Ordinance # 98-17

Hendricks County, Indiana

An Ordinance to regulate the public order

WHEREAS, the Board of Commissioners of Hendricks County recognize that excessive noises are detrimental to the environment and disorderly conduct degrades the enjoyment of life and welfare of the citizens of Hendricks County and;

WHEREAS, I.C. 36-8-2-8 authorizes counties to regulate the generation of sound, and;

WHEREAS, I.C. 36-8-2-4 authorizes counties to regulate conduct that might endanger the public welfare, and:

WHEREAS, the Board of Commissioners of Hendricks County desire to maintain the public welfare and enhance the enjoyment of life, of the citizens of Hendricks County, and;

WHEREAS, the Board of Commissioners of Hendricks County desire to exercise the authority granted under I.C. 36-8-2-8 and I.C. 36-8-2-4:

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

Section 1. No person shall knowingly make unreasonable noise and continue to do so after being asked to stop, by law enforcement personnel

Section.2. No person shall knowingly cause to make unreasonable noise, either upon public property or which is clearly audible beyond the bounds of their personal property.

Section 3. No person shall allow another person to knowingly make or cause to make unreasonable noise which is clearly audible beyond the bounds of their personal property.

Section 4. No person may engage in disorderly, reckless, or tumultuous conduct which may result in bodily injury to a person or damage to property of another.

EXEMPTIONS.

Activities related to construction, home improvement, lawn care, repair and maintenance of personal property (vehicles, structures, trees, shrubbery, etc.) lawful public assemblies, or properly zoned and/or legal commercial enterprises shall be exempt from this ordinance, except between the hours of 12:00 am and 5:00 am local time. Activities related to farming and agriculture shall be at all times be exempt.

ENFORCEMENT.

The Hendricks County Sheriff's Department shall enforce the provisions of this ordinance by issuing a written citation to those persons charged with it's violation.

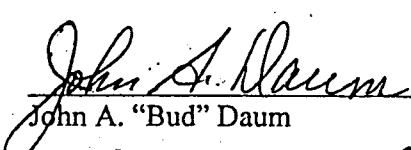
In lieu of issuing a written citation, upon the first violation occurrence the enforcement officer, may in his/her discretion, issue an official warning to persons advising them of their violation of this ordinance, which does not require the payment of a penalty; however, such official warning may be counted for purposes of assessing an enhanced penalty for subsequent violation of this ordinance within a twelve month period.

PENALTY.

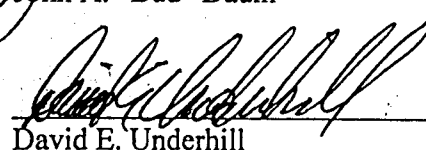
A person who violates this ordinance upon it's first occurrence commits an ordinance violation and shall pay a fine of Fifty dollars (\$50.00); a person who violates this ordinance upon it's second and all subsequent occurrences within a twelve month period shall pay a fine of Two Hundred dollars (\$200.00) for each occurrence.

Representing a majority of the Board of Commissioners of Hendricks County, Indiana, this Ordinance is hereby adopted this 13th day of July, 1998

John D. Clampitt



John A. "Bud" Daum



David E. Underhill

ATTESTED BY:

Debbie Simpson, Auditor, Hendricks County

ORDINANCE NO. 1998-18

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, A REVISION OF THE DEVELOPMENT STANDARDS OF A PUD: PLANNED UNIT DEVELOPMENT DISTRICT. COMMONLY KNOWN AS ZA-178/WA98-09: THE LEWIS GROUP, WASHINGTON TOWNSHIP, PARCEL TOTALING 106.00 ACRES, LOCATED ON THE SOUTHWEST CORNER OF COUNTY ROAD 100 SOUTH AND RACEWAY ROAD.

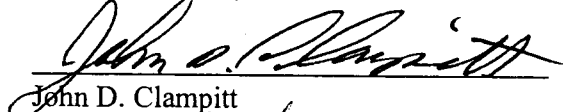
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the PUD: Planned Unit Development District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-178/WA98-09: The Lewis Group, S17-T15N-R2E, 106.00 acres, Washington Township, located on the southwest corner of County Road 100 South and Raceway Road.

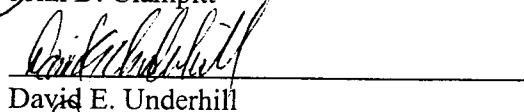
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

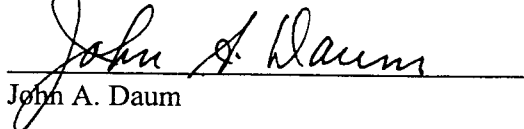
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 20 day of July, 1998.

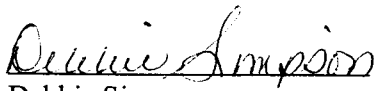
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-19

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM **R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT**, TO **C-4: HIGHWAY COMMERCIAL DISTRICT**. COMMONLY KNOWN AS **ZA-197/LN98-01: CHARLES D. CHANDLER, LINCOLN TOWNSHIP, PARCEL TOTALING 1.025 ACRES, LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 136, 0.25 MILE EAST OF COUNTY ROAD 900 EAST.**

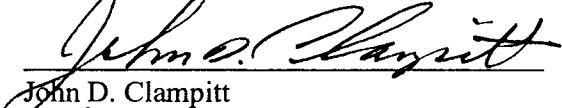
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-197/LN98-01: Charles D. Chandler, S18-T16N-R2E, 1.025 acres, Lincoln Township, located on the south side of U.S. Highway 136, 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.

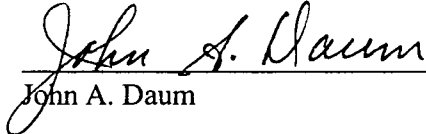
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 20 day of JULY, 1998.


Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-20

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM **I-2: LIGHT INDUSTRIAL DISTRICT**, TO **C-4: HIGHWAY COMMERCIAL DISTRICT**. COMMONLY KNOWN AS **ZA-198/WA98-11: AMERICOM, LLC, WASHINGTON TOWNSHIP**, PARCEL TOTALING 4.17 ACRES, LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 36, 0.08 MILE EAST OF COUNTY ROAD 900 EAST.

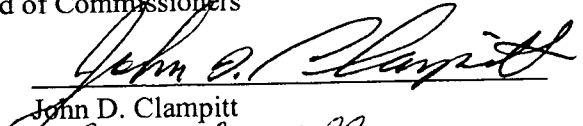
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-198/WA98-11: Americom, LLC, S7-T15N-R2E, 4.19 acres, Washington Township, located on the south side of U.S. Highway 36, 0.08 mile east of County Road 900 East.

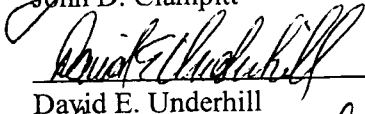
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

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 20 day of July, 1998.

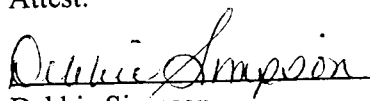
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-~~45~~21

**AN ORDINANCE AMENDING THE HENDRICKS COUNTY
INDIANA SUBDIVISION CONTROL ORDINANCE BY
AMENDING SECTION 3.06-1 NOTICE OF PUBLIC HEARING.**

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, adopted the Hendricks County Subdivision Control Ordinance on May 27, 1997;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Subdivision Control Ordinance be amended by changing Section 3.06-1 Notice of Public Hearing;

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 County Commissioners; and

WHEREAS, the County Commissioners have received and reviewed the Plan Commission's report, 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.

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

SECTION 1. Section 3.06-1 of the Hendricks County Subdivision Control Ordinance is hereby amended to include the following changes and additions:

1. The applicant shall notify all affected utility companies, local fire departments, school superintendent of the affected school district and all affected incorporated town(s) located within two (2) miles of the proposed development site in the same manner as described in the Rules of Procedure of the Hendricks County Area Plan Commission, and submit with said notice a copy of the preliminary plan;

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 20 day of July, 1998.

BOARD OF COMMISSIONERS

John D. Clampitt
John D. Clampitt, President

John A. Daum
John A. Daum, Vice President

Dave E. Underhill
Dave E. Underhill, Member

ATTEST:

Debbie Simpson
Debbie Simpson
Auditor

ORDINANCE NO. 1998-22

AN ORDINANCE AMENDING THE SCHEDULE OF USES OF THE HENDRICKS COUNTY, INDIANA, ZONING ORDINANCE

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, adopted the Hendricks County Zoning Ordinance on January 1, 1992;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Schedule of Uses in the Zoning Ordinance be amended to allow Home Occupation (Type I) as a permitted use in all zoning districts, and allow Home Occupations (Type II) and (Type III) as Special Exceptions in all zoning districts;

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 County Commissioners;

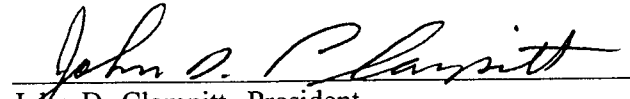
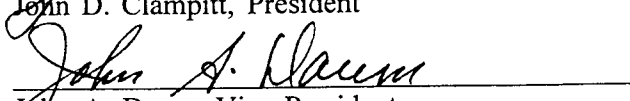
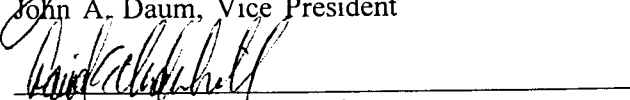
WHEREAS, the Hendricks County Commissioners have received and reviewed the Plan Commission's report, have considered the Plan Commission's recommendations, and find that the adoption of the recommended amendment would promote the health, safety and convenience of the people of Hendricks County.

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


Section 1. The Schedule of Uses of the Hendricks County, Indiana, Zoning Ordinance is hereby amended to allow Home Occupation (Type I) as a permitted use in all zoning districts, and allow Home Occupations (Type II) and (Type III) as Special Exceptions in all zoning districts.

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 17 day of August, 1998.


John D. Clampitt, President

John A. Daum, Vice President

David A. Underhill, Member

ATTEST:


DEBBIE SIMPSON
HENDRICKS COUNTY AUDITOR

ORDINANCE NO. 1998-23

AN ORDINANCE AMENDING THE HENDRICKS COUNTY, INDIANA, ZONING ORDINANCE BY ESTABLISHING CHAPTER 33 ON HOME OCCUPATIONS

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, adopted the Hendricks County Zoning Ordinance on January 1, 1992;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Zoning Ordinance be amended to establish Chapter 33 on Home Occupations;

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 County Commissioners;

WHEREAS, the Hendricks County Commissioners have received and reviewed the Plan Commission's report, 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.

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

Section 1. Establish Chapter 33 on Home Occupations as follows:

33.1 Purpose. *The purpose of the home occupation is to allow for home occupations that are compatible with the neighborhood in which they are located. The purpose of this chapter is to regulate the various types of home occupations.*

33.2 Classifications. *There are three (3) classifications of Home Occupations distinguished as Type I, Type II and Type III, and described as follows:*

- A. Home Occupation (Type I) and (Type II): *An occupation conducted entirely within a dwelling unit which is clearly subordinate to the principal residential use of the property; and*
- B. Home Occupation (Type III): *An occupation conducted in a dwelling unit and/or accessory building(s) which is clearly subordinate to the principal residential use of the property.*

33.3

General Classifications - The following list identifies various types of business classifications that may be considered as a Home Occupation. Other similar uses may also be considered as appropriate.

- A. Professional Services: medical practitioners, lawyers, architects, engineers and similar professions;
- B. Personal Services: shoe repair, watch repair, barber shops, beauty parlors, and similar activities, but excluding sexually oriented business pursuant to Chapter 31;
- C. Instructional Services: musical, dance or educational instruction. These services shall be limited to four (4) students at any one time;
- D. Home Craft Business: artists, sculptors, tailor/alterations and furniture makers;
- E. Trade Businesses: electricians, plumbers, carpenters, excavators and masons;
- F. Home Product Distributors: business in which the products are produced off-premise, such as health and beauty aides, home interiors, apparel and arts and crafts; and
- G. Food Services: catering, canning, and baking, where the food is consumed off-premise. Subject to all applicable State and Local requirements.

33.4

Home Occupation (Type I). A home occupation to conduct a business within a dwelling unit is permitted in any zoning district provided the following criteria are met:

- A. Location
 - 1. The home occupation shall be conducted in the principal dwelling of the principal practitioner; and

2. *The home occupation shall not be conducted in any accessory building.*

B. Maximum Floor Coverage

1. *The use, including storage of products or materials, shall not exceed twenty-five percent (25%) of the floor area of the dwelling unit; and*
2. *A minimum of seventy-five percent (75%) of the floor area shall remain in residential use.*

C. Appearance. There shall be no change in the outside appearance of the building or premises.

D. Signage. No signs are permitted on the property of the home occupation.

E. Commercial vehicles. One (1) passenger vehicle that carries less than sixteen (16) passengers or a truck that does not exceed 26,000 pounds Gross Vehicle Weight is permitted on the property of the home occupation.

F. Storage. No exterior storage or display of products or merchandise is permitted.

G. Disturbances

1. *No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the premises; and*
2. *In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or cause fluctuations in line voltage off the premises.*

- I. *Traffic - Deliveries of products or materials used in a home occupation shall be limited to no more than one (1) delivery a day.*
- J. *Employees. There shall be no employees other than residents of the property.*

33.5 *Home Occupation (Type II).* *A home occupation is permitted in any zoning district, provided the following criteria are met and approved by the Board of Zoning Appeals as a Special Exception:*

A. *Location*

- 1. *The home occupation shall be conducted in the principal dwelling of the principal practitioner; and*
- 2. *The home occupation shall not be conducted in any accessory building.*

B. *Maximum Floor Coverage*

- 1. *The use, including storage of products or materials, shall not exceed twenty-five percent (25%) of the floor area of the dwelling unit; and*
- 2. *A minimum of seventy-five percent (75%) of the floor area shall remain in residential use.*

C. *Appearance. There shall be no change in the outside appearance of the building or premises.*

D. *Signage. One (1) non-illuminated sign not exceeding two (2) square feet in area is permitted.*

E. *Commercial vehicles. The number and types of commercial vehicles shall be determined and/or limited by the Board of Zoning Appeals.*

F. *Storage. No exterior storage or display of products or merchandise is permitted.*

G. *Disturbances*

1. *No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the premises; and*
 2. *In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or cause fluctuations in line voltage off the premises.*
- I. *Traffic - Deliveries of products or materials used in a home occupation shall be limited to no more than one (1) delivery a day.*
- J. *Employees. No more than one (1) employee other than residents of the property is permitted.*

33.6 *Home Occupation (Type III).* *A home occupation is permitted in any zoning district, provided the following criteria are met and approved by the Board of Zoning Appeals as part of a Special Exception:*

A. *Location*

1. *The home occupation may be conducted in the principal dwelling of the practitioner; and*
2. *The home occupation may be conducted in accessory buildings on the same real estate as the principal dwelling of the practitioner; and*
3. *The home occupation shall not be allowed in any major subdivision.*

B. *Maximum Floor Coverage. The use of the dwelling unit for the home occupation shall conform to the following specifications:*

1. *The use, including storage of products or materials, shall not*

exceed twenty-five percent (25%) of the floor area of the dwelling unit; and

- 2. A minimum of seventy-five percent (75%) of the floor area shall remain in residential use.*

C. Appearance

- 1. There shall be no change in the outside appearance of any existing or proposed building(s) that would detract from the character of the surrounding area; and*
- 2. Additional screening or buffering may be reasonably required by the Board of Zoning Appeals.*

D. Signage. Only one (1) non-illuminated sign not exceeding eight (8) square feet in area is permitted.

E. Commercial Vehicles and Equipment. The number and types of commercial vehicles and/or equipment shall be determined and/or limited by the Board of Zoning Appeals.

F. Parking. The parking area shall be determined and/or limited by the Board of Zoning Appeals.

G. Storage. The amount of outside storage shall be determined and/or limited by the Board of Zoning Appeals.

H. Disturbances

- 1. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the premises; and*
- 2. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or*

*television receivers off the premises
or cause fluctuations in line voltage
off the premises.*

I. Traffic

- 1. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood; and*
- 2. The number of deliveries shall be determined by the Board of Zoning Appeals.*

J. Employees. The number of employees shall be determined and/or limited by the Board of Zoning Appeals.

33.7 Permit Application Procedure - The application for a Home Occupation (Type II) or (Type III) shall contain the following information:

- 1. Name, address and phone number of applicant and property owner;*
- 2. Legal description of property;*
- 3. Tax parcel number(s) of property;*
- 4. Diagram, drawn to scale, showing the following:*
 - a. existing and proposed structures;*
 - b. existing and/or proposed parking;*
 - c. lot dimensions;*
 - d. proposed location of signage; and*
 - e. street name and address.*
- 5. Diagram, drawn to scale, showing the floor plans of existing or proposed structures and the proposed area to be used for the home occupation;*

6. *Letter of Intent:*


- a. *Describing the daily operations of the business;*
- b. *Days and hours of operation;*
- c. *Description of materials or products to be used in the business;*
- d. *Description of equipment or vehicles to be used in the business; and*
- e. *Employees.*

7. *The Application, Letter of Intent and any other documentation must be signed by the applicant and property owner.*

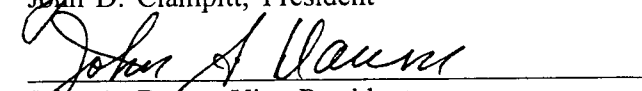
33.8 *Length of Permit and Renewal* *A permit shall be issued by the Hendricks County Building Commissioner. The permit shall be valid as long as the applicant conforms to the regulations of this chapter and the permit unless otherwise limited in duration by the Board of Zoning Appeals.*

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

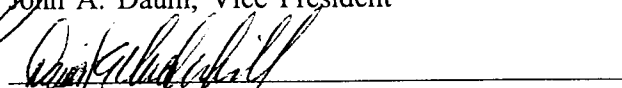
APPROVED by the Board of Commissioners of Hendricks County, Indiana, this 17 day of August, 1998.



John D. Clampitt, President




John A. Daum, Vice President



David E. Underhill, Member

ATTEST:



DEBBIE SIMPSON
HENDRICKS COUNTY AUDITOR

ORDINANCE NO. 1998-24

AN ORDINANCE AMENDING THE HENDRICKS COUNTY, INDIANA, ZONING ORDINANCE BY ESTABLISHING A DEFINITION OF COMMERCIAL VEHICLES AND AMENDING THE DEFINITION OF HOME OCCUPATION

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, adopted the Hendricks County Zoning Ordinance on January 1, 1992;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Zoning Ordinance be amended to establish a definition for commercial vehicles and to amend the definition of Home Occupation;

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 County Commissioners;

WHEREAS, the Hendricks County Commissioners have received and reviewed the Plan Commission's report, 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.

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

Section 1 Amend Chapter 2, Section 2.2, Definitions to include a definition of commercial vehicle as follows:

Vehicle, Commercial: Any motor vehicle used or designed: (a) for use in pulling, towing, hauling, transporting, or (b) as a temporary or permanent base, platform or support for equipment, machinery, materials or other goods (including but not limited to stake body trucks, dump trucks, trucks or trailers having dual rear wheels or more than two (2) axles, semi-trailer tractors, semi-trailers and trailers having dual rear wheels or more than one (1) axle or having an overall length of more than twelve (12) feet; (c) passenger vehicles marked by signage, logos or commercial messages. This definition does not apply to motor vehicles which serve as a source of transportation for an individual residing at the premises where the vehicle is stored or parked on a regular basis and is not used in any commercial activity.

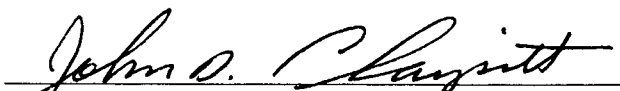
Section 2 Amend Chapter 2, Section 2.2, Paragraph 139, Definitions to amend the definition of Home Occupation as follows:

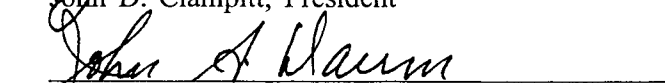
Home Occupation (Type I) and (Type II): An occupation conducted entirely within a dwelling unit which is clearly subordinate to the principal residential use of the property.


Home Occupation (Type III): An occupation conducted in a dwelling unit and/or accessory building(s) which is clearly subordinate to the principal residential use of the property.

Section 3. 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 17 day of August, 1998.


John D. Clampitt, President


John A. Daum, Vice President


David A. Underhill, Member

ATTEST:


DEBBIE SIMPSON
HENDRICKS COUNTY AUDITOR

Ordinance # 98-26

Hendricks County, Indiana

An Ordinance Regarding Alarm Systems

WHEREAS, there are businesses and residences in Hendricks County that utilize alarm systems, that require special responses from the public safety agencies of the county, primarily the Hendricks County Sheriff's Department. The agencies in question respond to protect and preserve the health, safety and welfare of the occupants and/or properties of said businesses and residences as well as the citizens of the County.

WHEREAS, County Commissioners find that said alarms frequently produce false and/or accidentally set alarms requiring County Law Enforcement Agencies to provide responses when no situation of no emergency nature has actually developed.

WHEREAS, the concern over requiring the dispatch of County Law Enforcement Agencies demands reasonable regulation of alarms in said businesses, residences and/or automobiles, to protect the health and well being of the citizens of the County.

WHEREAS, the County Commissioners desire to minimize and control the potential adverse effects of dispatching County Law Enforcement Agency units to non emergency situations often during and to the exclusion of services rendered during actual emergencies which could reduce the welfare of the citizenry and inhibit County Law Enforcement Agencies from rendering aid to others in time of need.

WHEREAS, it is not the intent of the County Commissioners to suppress the right of all persons to provide for their increased security by owning, operating, installing or having installed an alarm, but to enact a content neutral ordinance which addresses the secondary effects of said alarms such as repeated false and/or accidental alarms.

WHEREAS, it is the intent of the County Commissioners to provide County Law Enforcement Agencies a means by which responsibility for false alarms is born by those responsible for said alarms within Hendricks County.

WHEREAS, the voluntary registration of alarm systems is with the Hendricks County Sheriff's Department allows them to handle the event in a more expedient and efficient manner, resulting in less cost to the county.

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

**ARTICLE I
TITLE**

This Ordinance shall be titled "Alarm Systems", and may be cited as such. Reference shall be Ordinance Number 1998-_____

**ARTICLE II
PURPOSE**

To establish required fees, encourage registration of alarm systems, and to provide penalties for violations of said ordinance and to encourage security alarm users and alarm businesses, (sales, installations, customer service and/or monitoring) to maintain the operational reliability and the proper use of alarm systems, limiting of unnecessary responses to alarms by the County Law Enforcement Agencies.

**ARTICLE III
DEFINITIONS**

ALARM AGENT: Any person who is employed by an alarm business either directly or indirectly, whose duties include selling, maintaining, leasing, servicing, repairing, altering, replacing, moving or installing on or in any building, structure, facility or grounds any alarm system.

ALARM BUSINESS: Any individual, partnership, corporation or other entity who in addition to selling alarm systems, also leases, maintains, services, repairs, alters, replaces, moves or installs any alarm system or causes to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure, facility or grounds.

ALARM SYSTEM: Any device used for the detection of an unauthorized entry or attempted entry into a building, structure, facility or grounds, or for alerting others of the commission of an unlawful act within a building, structure, facility or grounds, which when activated causes notification to be made directly or indirectly to a Law Enforcement Agency.

For the purpose of this article, an alarm system shall be considered exempt:

- (1) An alarm installed on a motor vehicle.
- (2) An alarm installed upon premises occupied by the United States, the State of Indiana, or any political subdivision thereof.
- (3) An alarm which signals or alerts only the occupants of the premises protected by the alarm system.

- (4) An alarm occurring during electrical storms, hurricanes, tornados, blizzards or other acts of nature.
- (5) Circumstances not reasonably under the control of the alarm user, installer or maintainer (the responsibility to show causation is that of the user, installer or maintainer).

ALARM NOTIFICATION: A notification intended to summon a Law Enforcement Agency, which is designed either to be initiated purposely by a person or by an alarm system that responds to an unlawful entry, attempted entry or any other unauthorized intrusion.

ALARM SITE: A single premises or location served by an alarm system.

PANIC ALARM: Any device that is designed or intended to be manually activated by a person, whether in a business, residence or automobile, who has encountered an actual or perceived emergency situation.

AUTOMATIC DIALING DEVICE: Any device that is designed or intended to automatically dial, via telephone lines, any Law Enforcement Agency and report an emergency such as a burglary or holdup.

REMOTE ALARM REPORTER: Any device that is designed or intended to provide an audible (bell, tone, siren, etc..) response, in the event of a burglar/holdup alarm, to a remote site such as the Hendricks County Sheriff's Department Communications Center.

FALSE ALARM NOTIFICATION: Any alarm notification, whether direct or indirect, to a Law Enforcement Agency, when the responding officer finds no evidence of a criminatl offence or attempted offense.

ARTICLE IV REGISTRATION FEES AND TERMS

Registration shall be on the form provided by the Hendricks County Sheriff's Department and registration shall remain on file with the agency only.

There is no fee required in the issuance of an alarm registration.

An alarm system registration issued pursuant to this article shall be valid for a term of two (2) years commencing from the date of issuance.

An alarm system registration issued pursuant to this article shall be personal to the registration holder for a specific location and is not transferable.

ARTICLE V PROHIBITED ACTIVITY & FINES

It shall be unlawful for a person who owns or controls property on which an alarm system is

installed to issue, cause to be issued, the issuance of more than two (2) false alarms in a calendar year. Provided, however, this section shall not apply to an alarm system which emits a false alarm within thirty (30) days after installation of the alarm system.

A person who owns or controls property on which an alarm system is installed shall receive a warning from the appropriate law enforcement agency for the two (2) false alarms issued by such alarm system during a calendar year.

Fines will be established as follows:

	<u>Registered</u>	<u>Unregistered</u>
1. First two (2) non exempt false alarms.	Written Warning	Written Warning
2. Third (3rd) non exempt false alarm.	\$ 15.00	\$ 25.00
3. . Fourth (4th) non exempt false alarm	30.00	50.00
4. Fifth (5th) non exempt false alarm.	60.00	80.00
5. Sixth (6th) non exempt false alarm.	90.00	125.00
6. Seven (7) or greater non exempt false alarms	150.00	250.00

In addition to the penalties provided for in this section, any act or any person, firm or Corporation who continuously, knowingly and intentionally violates any provisions of this ordinance is hereby declared to be a nuisance and all remedies applicable to a nuisance, both public and private, including, but not limited to injunctions and damages, are hereby preserved.

**ARTICLE VI
ENFORCEMENT**

It shall be the duty of the HENDRICKS COUNTY SHERIFF'S DEPARTMENT to enforce this Ordinance. Any person violating any provision of this Ordinance shall be subject to fines and costs as specified within this Ordinance.

Violators of this Ordinance shall be served a written notice of the violation (Complaint and Summons) either in person or by any other manner reasonably calculated to result in actual notice, including certified mail.

**ARTICLE VII
HEARINGS**

Any person receiving any such notice of violation as described herein and wishes to enter a

denial, may be granted a hearing on the matter before a court of competent jurisdiction. At such time, said court **shall** assess court costs and **may** also award reasonable attorney fees from the violator for the neccessity of prosecuting an action when judgment is found for the county. The court **may** also assess administrative costs expended by Hendricks County in taking enforcement action.

ARTICLE VIII SEVERABILITY

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


ARTICLE IX APPLICATION AND EFFECTIVE DATE

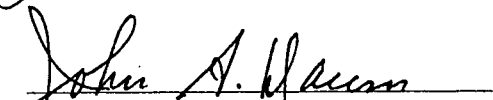
This Ordinance shall apply to the entirety of Hendricks County, but will not supersede Ordinances put into place by cities or towns within incorporated areas. This Ordinance shall be in full force and effect immediately upon and after its adoption and publication as required by law.


Passed and approved by the Board of County Commissioners of Hendricks County, Indiana, this

14 day of September 1998

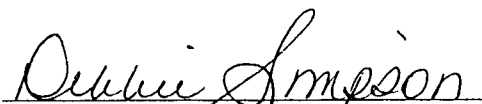
BOARD OF COUNTY COMMISSIONERS Hendricks County, Indiana


John D. Clampitt, President


John A. Daum, Vice President


David E. Underhill, Member

ATTEST:


Debbie Simpson, Auditor

HENDRICKS COUNTY ALARM SYSTEM REGISTRATION

Hendricks County Sheriff's Department
925 East Main Street/P.O. Box 87
Danville, Indiana 46122

Registration No. _____

Exp. Date _____

Issue Date _____

1. ALARM COMPANY _____ PHONE _____

TYPE OF ALARM _____ STYLE OF ALARM _____
(Burglary, Panic, Holdup, Etc.) (Bell, Siren, Tone, Auto-Dial, Etc.)

2. PERSONS IN CONTROL OF THE PROPERTY
(PERSON PRIMARILY RESPONSIBLE FIRST)

NAME	ADDRESS	PHONE NUMBER
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. THE STREET ADDRESS AND DRIVING DIRECTIONS OF THE PROPERTY ON WHICH THE ALARM
SYSTEM IS TO BE INSTALLED AND OPERATED: _____

4. ANY BUSINESS NAME USED FOR THE PREMISES ON WHICH THE ALARM SYSTEM IS TO
BE INSTALLED AND OPERATED _____

5. THE NAME AND TELEPHONE NUMBER OF AT LEAST TWO (2) PERSONS WHICH ARE ABLE AND
HAVE AGREED TO: A.) Receive notifications at any time B) Come to the alarm site within
THIRTY (30)) minutes after receiving a request from the Sheriff's Department C.) Grant access to
the alarm site and to deactivate the alarm system if such becomes necessary

Name	Telephone No.	Pager No.	Car Phone No..
_____	_____	/	/
_____	_____	/	/
_____	_____	/	/

STATE OF INDIANA)
) SS
COUNTY OF HENDRICKS)

**AMENDED
ORDINANCE NO. 1998-26**

Ordinance Regarding Alarm Systems

WHEREAS, there are businesses and residences in Hendricks County that utilize alarm systems, that require special responses from the public safety agencies of the county, primarily the Hendricks County Sheriff's Department. The agencies in question respond to protect and preserve the health, safety and welfare, of the occupants and/or properties of said businesses and residences as well as the citizens of the County.

WHEREAS, County Commissioners find that said alarms frequently produce false and/or accidentally set alarms requiring County Law Enforcement Agencies to provide responses when no situation of no emergency nature has actually developed.

WHEREAS, the concern over requiring the dispatch of County Law Enforcement Agencies demands reasonable regulation of alarms in said business, residences and/or automobiles, to protect the health and well being of the citizens of the County.

WHEREAS, the County Commissioners desire to minimize and control the potential adverse effects of dispatching County Law Enforcement Agency units to non emergency situations often during and to the exclusion of services rendered during actual emergencies which could reduce the welfare of the citizenry and inhibit County Law Enforcement Agencies from rendering aid to others in time of need.

WHEREAS, it is not the intent of the County Commissioners to suppress the right of all persons to provide for their increased security by owning, operating, installing or having installed an alarm, but to enact a content neutral ordinance which addresses the secondary effects of said alarms such as repeated false and/or accidental alarms.

WHEREAS, it is the intent of the County Commissioners to provide County Law Enforcement Agencies a means by which responsibility for false alarms is born by those responsible for said alarms within Hendricks County.

WHEREAS, the voluntary registration of alarm systems with the Hendricks County Sheriff's Department allows them to handle the event in a more expedient and efficient manner, resulting in less cost to the county.

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

**ARTICLE I
TITLE**

This Ordinance shall be titled "Alarm Systems", and may be cited as such. Reference shall be Amended - Ordinance Number 1998-26

**ARTICLE II
PURPOSE**

To establish required fees, encourage registration of alarm systems, and to provide penalties for violations of said ordinance and to encourage security alarm users and alarm businesses (sales, installations, customer service and/or monitoring) to maintain the operational reliability and the proper use of alarm systems, limiting of unnecessary responses to alarms by the County Law Enforcement Agencies.

**ARTICLE III
DEFINITIONS**

ALARM AGENT: Any person who is employed by an alarm business either directly or indirectly, whose duties include selling, maintaining, leasing, servicing, repairing, altering replacing, moving or installing on or in any building structure, facility or grounds any alarm system.

ALARM BUSINESS: Any individual partnership, corporation or other entity who in addition to selling alarm systems, also leases, maintains, services, repairs, altering, replaces, moves or installers any alarm system or causes to be sold, leased, maintained, services, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure, facility or grounds..

ALARM SYSTEM: Any device used for the detection of an unauthorized entry or attempted entry into a building, structure, facility or grounds or for alerting others on the commission of an unlawful act within a building structure, facility or grounds, which when activated causes notification to be made directly or indirectly to a Law Enforcement Agency.

For the purpose of this article, the following shall be considered exempt:

- (1) An alarm installed on a motor vehicle.
- (2) An alarm installed upon premises occupied by the United States, the State of Indiana, or any political subdivision thereof.

- (3) An alarm which signals or alerts only the occupants of the premises protected by the alarm system.
- (4) An alarm occurring during electrical storms, hurricanes, tornados, blizzards or other acts of nature.
- (5) Circumstances not reasonably under the control of the alarm user, installer or maintainer (the responsibility to show causation is that of the user, installer or maintainer)

ALARM NOTIFICATION; A notification intended to summon a Law Enforcement Agency, which is designed either to be initiated purposely by a person or by an alarm system that responds to an unlawful entry, attempted entry or any other unauthorized intrusion.

ALARM SITE: A single premises or location served by an alarm system.

PANIC ALARM: Any device that is designed or intended to be manually activated by a person, whether in a business residence or automobile, who has encountered an actual or perceived emergency situation.

AUTOMATIC DIALING DEVICE: Any device that is designed or intended to automatically dial, via telephone lines, any Law Enforcement Agency and report an emergency such as a burglary or holdup.

REMOTE ALARM REPORTER: Any device that is designed or intended to provide an audible (bell tone, siren, etc.) Response, in the event of a burglary/holdup alarm, to a remote site such as the Hendricks County Sheriff's Department Communications Center.

FALSE ALARM NOTIFICATION: Any alarm notification, whether direct or indirect, to a Law Enforcement Agency, when the responding officer finds no evidence of a criminal offence or attempted offence.

ARTICLE IV REGISTRATION FEES AND TERMS

Registration shall be on the form provided by the Hendricks County Sheriff's Department and registration shall remain on file with the agency only.

There is no fee required in the issuance of an alarm registration.

Any alarm system registration issued pursuant to this article shall be valid for a term of two (2) years commencing from the date of issuance.

An alarm system registration issued pursuant to this article shall be personal to the registration holder for a specific location and is not transferable.

**ARTICLE V
PROHIBITED ACTIVITY & FINES**

It shall be unlawful for a person who owns or controls property on which an alarm system is installed to issue, cause to be issued, or allow the issuance of more than two (2) false alarms in a calendar year. Provided, however, this section shall not apply to an alarm system which emits a false alarm within thirty (3) days after installation of the alarm system.

A person who owns or controls property on which an alarm system is installed shall receive a warning from the appropriate law enforcement agency for the two (2) false alarms issued by such alarm system during a calendar year.

Fines will be established as follows plus Court Costs:

	<u>Registered</u>	<u>Unregistered</u>
1. First two (2) non exempt false alarms.	Written Warning	Written Warning
2. Third (3rd) non exempt false alarm	15.00	25.00
3. Fourth (4th) non exempt false alarm	30.00	50.00
4. Fifth (5th) non exempt false alarm	60.00	80.00
5. Sixth (6th) non exempt false alarm	90.00	125.00
6. Seventh (7) or greater non exempt false alarms	150.00	250.00

In addition to the penalties provided for in this section, any act or any person, firm or Corporation who continuously, knowingly and intentionally violates any provisions of this ordinance is hereby declared to be a nuisance and all remedies applicable to a nuisance, public and private, including, but not limited to injunctive relief, shall be available.

**ARTICLE
ENFORCEMENT**

It shall be the duty of the HENDRICKS COUNTY Sheriff's Office to enforce this Ordinance. Any person violating any provision of this Ordinance shall be liable for the costs as specified within this Ordinance.

Violators of this Ordinance shall be served a written Summons) either in person or by any other manner reasonably practicable, including certified mail.

*Rebbie,
Please replace
this corrected page
in Ordinance 1998-26
Alarm Ordinance
J. Banks,
July*

ARTICLE V
PROHIBITED ACTIVITY & FINES

It shall be unlawful for a person who owns or controls property on which an alarm system is installed to issue, cause to be issued, or allow the issuance of more than two (2) false alarms in a calendar year. Provided, however, this section shall not apply to an alarm system which emits a false alarm within thirty (3) days after installation of the alarm system.

A person who owns or controls property on which an alarm system is installed shall receive a warning from the appropriate law enforcement agency for the two (2) false alarms issued by such alarm system during a calendar year.

Fines will be established as follows plus Court Costs:

	<u>Registered</u>	<u>Unregistered</u>
1. First two (2) non exempt false alarms.	Written Warning	Written Warning
2. Third (3rd) non exempt false alarm	15.00	25.00
3. Fourth (4th) non exempt false alarm	30.00	50.00
4. Fifth (5th) non exempt false alarm	60.00	80.00
5. Sixth (6th) non exempt false alarm	90.00	125.00
6. Seventh (7) or greater non exempt false alarms	150.00	250.00

In addition to the penalties provided for in this section, any act or any person, firm or Corporation who continuously, knowingly and intentionally violates any provisions of this ordinance is hereby declared to be a nuisance and all remedies applicable to a nuisance, both public and private, including, but not limited to injunctions and damages, are hereby preserved.

ARTICLE VI
ENFORCEMENT

It shall be the duty of the HENDRICKS COUNTY SHERIFF'S DEPARTMENT to enforce this Ordinance. Any person violating any provision of this Ordinance shall be subject to fines and costs as specified within this Ordinance.

Violators of this Ordinance shall be served a written notice of the violation (Complaint and Summons) either in person or by any other manner reasonably calculated to result in actual notice, including certified mail.

ARTICLE VII HEARINGS

Any person receiving any such notice of violation as described herein and wishes to enter a denial, may be granted a hearing on the matter before a court of competent jurisdiction. At such time, if the court finds an ordinance violation has occurred, said court shall assess court costs and fines and may also award reasonable attorney fees from the violator for the necessity of prosecuting an action when judgment is found for the county. The court may also assess administrative costs expended by Hendricks County in taking enforcement action.

ARTICLE VIII SEVERABILITY

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

ARTICLE IX APPLICATION AND EFFECTIVE DATE

This Ordinance shall apply to the entirety of Hendricks County, but will not supersede Ordinances put into place by cities or towns within incorporated areas. 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 27 day of September 1999

BOARD OF COMMISSIONERS
Hendricks County, Indiana

John D. Clampitt
John D. Clampitt, President

John A. Daum
John A. Daum, Vice President

Hursel C. Disney
Hursel C. Disney, Member

ATTEST:

Debbie Simpson
Debbie Simpson, Auditor

ORDINANCE NO. 1998-27

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: SINGLE FAMILY RESIDENTIAL DISTRICT DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-201/FR98-01: HUNTER AGRI-SALES, INC., FRANKLIN TOWNSHIP, PARCEL TOTALING 1.0 ACRES, LOCATED ON THE SOUTHEAST CORNER OF U.S. HIGHWAY 40 AND COUNTY ROAD 350 WEST.

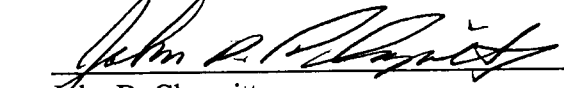

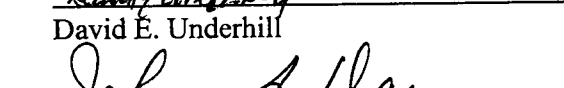
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-201.FR98-01: Hunter Agri-Sales, Inc., S13-T14N-R2W, 1.0 acres, Franklin Township, located on the southeast corner of U.S. Highway 40 and County Road 350 West..

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.

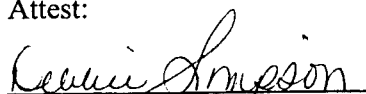
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 12 day of Sept, 1998.

Board of Commissioners


John D. Clampitt

David E. Underhill

John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-28

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: **LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT**, TO C-4: **HIGHWAY COMMERCIAL DISTRICT**. COMMONLY KNOWN AS ZA-202/CE98-03: **WILLIAM & SHIRLEY HAWKINS, CENTER TOWNSHIP**, PARCEL TOTALING 5.81 ACRES, LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 36, 0.21 MILE WEST OF COUNTY ROAD 200 WEST.

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-202/CE98-03: William & Shirley Hawkins, S6-T15N-R1W, 5.81 acres, Center Township, located on the north side of U.S. Highway 36, 0.21 mile west of County Road 200 West.

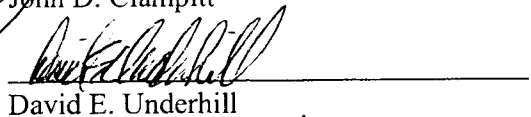
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

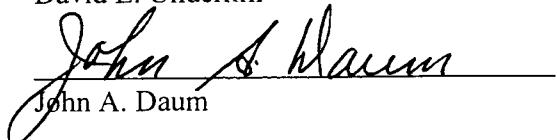
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 19 day of October, 1998


Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-29

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM PUD: **PLANNED UNIT DEVELOPMENT DISTRICT**, TO PUD: **PLANNED UNIT DEVELOPMENT DISTRICT**. COMMONLY KNOWN AS **ZA-178/WA98-13: THE LEWIS GROUP, INC., WASHINGTON TOWNSHIP**, PARCEL TOTALING 106.00 ACRES, LOCATED AT THE SOUTHWEST CORNER OF COUNTY ROAD 100 SOUTH AND RACEWAY ROAD.

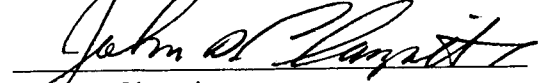
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the PUD: Planned Unit Development District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-203/WA98-13: The Lewis Group, Inc., S17-T15N-R2E, 106.00 acres, Washington Township, located at the southwest corner of County Road 100 South and Raceway Road.

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.

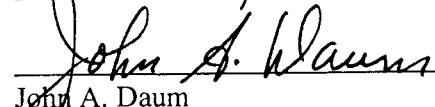
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 19 day of October, 1998

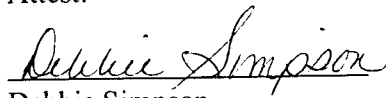
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-30

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM **R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT**, TO **R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT**. COMMONLY KNOWN AS **ZA-203/GU98-03: GLEN BROYLES, GUILFORD TOWNSHIP, PARCEL TOTALING 51.53 ACRES, LOCATED ON THE NORTHWEST CORNER OF GIBBS ROAD AND VESTAL ROAD.**

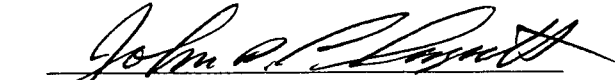
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the R-2: Medium Density, Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-203/GU98-03: Glen Broyles, S21-T15N-R1E, 51.53 acres, Guilford Township, located on the northwest corner of Gibbs Road and Vestal Road.

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.

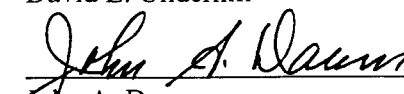
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 19 day of October, 1998

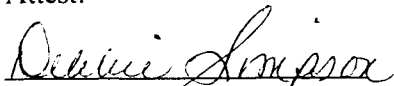
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

BOARD OF COMMISSIONERS
HENDRICKS COUNTY, INDIANA

ORDINANCE NO. 1998-31

AN ORDINANCE PROMOTING ECONOMIC DEVELOPMENT IN HENDRICKS COUNTY, INDIANA: AUTHORIZING AND ESTABLISHING A SPECIAL FUND TO PROVIDE REVENUES FOR ECONOMIC DEVELOPMENT EFFORTS IN HENDRICKS COUNTY; AUTHORIZING AND ESTABLISHING A SPECIAL ECONOMIC DEVELOPMENT CHARGE TO BE COLLECTED FROM THE DEVELOPERS OF RESIDENTIAL REAL ESTATE; AND OTHER MATTERS CONNECTED THEREWITH.

WHEREAS, demographic statistics and current trends support the fact that the population of Hendricks County will continue to grow at a rate much faster than the average rate of population growth in the State of Indiana; and

WHEREAS, new residential development in Hendricks County provides an expanding need to improve the opportunities for job creation and job retention the manufacturing and commercial sector; and

WHEREAS, such jobs provide Hendricks County government with an expanded tax base for Economic Development Income Tax purposes; and

WHEREAS, new manufacturing and commercial development provides indirect tax relief for existing and new residential development; and

WHEREAS, it is in the best interests and general welfare of the people of Hendricks County to see quality growth and expansion of economic opportunities; and

WHEREAS, it is in the interest of the County that the cost of promoting economic development be paid for in part from a special economic development charge to be

collected and deposited into a special fund and administered by the Auditor of Hendricks County; and

WHEREAS, the "Hendricks County Economic Development Partnership" ("Partnership") is a private not for profit corporation established under the laws of the State of Indiana to establish and promote many or most of the goals heretofore expressed and the County has acknowledged the valuable service it provides the County and its people and desires to take action to expand the capacity of the Partnership to provide developmental services.

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

Section 1. This Ordinance is made pursuant to the governmental powers and authority granted by Indiana Code 36-1-3-4 (b) (2) and 36-7-2-7.

Section 2. It is hereby declared to be the policy of Hendricks County government to work in concert with other local governments and units, as well as all citizens of Hendricks County, to promote and enhance the quality of life of the residents of Hendricks County, by furthering the development of the economic resources of Hendricks County through the attraction, retention and creation of suitable business investment with emphasis on manufacturing concerns that have minimal environmental impact. In connection with this effort, it is a policy of Hendricks County government to take steps to improve the opportunities for job creation, to foster job retention, to lessen the burden of government and to broaden the tax base through the development of the commercial, business and industrial potential of Hendricks County.

Section 3. It is the intent of the county to support economic development and the goals set forth above by providing a means to pay for the increased services of the "Partnership." In connection therewith, the County deems it appropriate and in the public welfare to provide for the payment of services from the "Partnership" in lieu of establishing and funding in full a public economic development commission for the County.

Section 4. The County hereby establishes and creates as the means to pay for the services provided by the "Partnership", which benefit the public at large and the establishment of greater opportunities for residential construction within the county, a special "Economic Development Service Fund" which shall serve as a depository for economic development charges collected pursuant to this Ordinance. The "Economic Development Service Fund" shall be administered by the Auditor of Hendricks County, Indiana, in accordance herewith.

The special economic development charge, designated as a contribution in aid of economic development within Hendricks County, shall be and is hereby established in the sum of Fifty Dollars (\$50.00) per residential lot platted and recorded in the Office of the Recorder of Hendricks County, Indiana.

Section 5. The Office of the Hendricks County Recorder shall require payment of said fee prior to recording. The Auditor shall provide receipt evidencing payment of the economic development charge as established under this Ordinance.

All revenues collected under this Ordinance as economic development charges shall be deposited in the "Economic Development Service Fund" to be maintained by the Auditor. All moneys deposited in the "Economic Development Service Fund" may be

invested in accordance with the laws of the State of Indiana as applicable to county government. On the first business day on or after each February 1st and August 1st following the effective date of this Ordinance, the Auditor shall transmit all of the funds held in the "Economic Development Service Fund" to the "Partnership" to provide additional economic development services for the benefit of the County and the general welfare of its citizens.

Section 6. Notwithstanding anything to the contrary contained herein, all payments to be made to the "Partnership" are expressly conditioned upon the said "Partnership" maintaining its tax-exempt status under Internal Revenue Code § 501, then all funds held in the "Economic Development Service Fund" shall be maintained, administered and expended for economic development purposes in the manner and upon the terms deemed appropriate by the Board of Commissioners. In such event, then this Ordinance shall be deemed repealed and no longer in effect from and after said date.

Section 7. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provision of this Ordinance.

Section 8. This Ordinance shall be in full force and effect immediately upon its passage and signing. It shall continue in full force and effect (unless sooner terminated by operation of Section 6 hereof) until rescinded by the Board of Commissioners.

Adopted at the meeting of the Board of County Commissioners for Hendricks County this 23 day of November, 1998.

Board of County Commissioners

For Hendricks County, Indiana

By:

John O. Parsitt

By:

John A. Haum

By:

Wm. K. Hall

ATTESTATION:

Delia Simpson

Auditor for Hendricks County

ORDINANCE NO. 1998-32

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM **R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT**, TO **PUD: PLANNED UNIT DEVELOPMENT DISTRICT**. COMMONLY KNOWN AS **ZA-204/LN98-03: R.N. THOMPSON DEVELOPMENT CORPORATION, LINCOLN TOWNSHIP, PARCEL TOTALING 200.00 ACRES, LOCATED ON THE SOUTHWEST QUADRANT OF COUNTY ROAD 600 NORTH AND RACEWAY ROAD..**

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 PUD: Planned Unit Development District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-204/LN98-03: R.N. Thompson Development Corporation, S8-T16-R2E, 200.00 acres, Lincoln Township, located on the southwest quadrant of County Road 600 North and Raceway Road..

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 23 day of November, 1998

Board of Commissioners

John D. Clampitt
John D. Clampitt

David E. Underhill
David E. Underhill

John A. Daum
John A. Daum

Attest:

Debbie Simpson
Debbie Simpson
Auditor

ORDINANCE NO. 1998-33

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT. COMMONLY KNOWN AS ZA-205/WA98-14: RIDGE GATE, INC., WASHINGTON TOWNSHIP, PARCEL TOTALING 24.00 ACRES, LOCATED ON THE WEST SIDE OF COUNTY ROAD 600 EAST, 0.25 MILE NORTH OF COUNTY ROAD 100 NORTH.

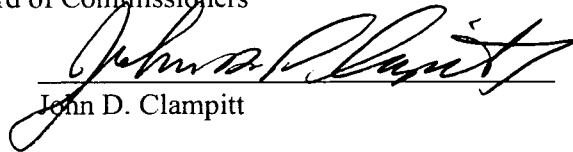
SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the R-2: Medium Density, Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-205/WA98-14: Ridge Gate, Inc., S33-T16N-R1E, 24.00 acres, Washington Township, located on the west side of County Road 600 East, 0.25 mile north of County Road 100 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.

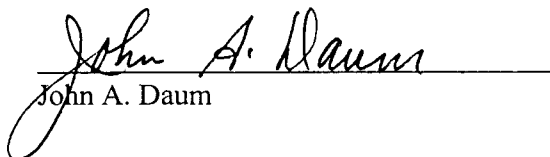
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 21 day of December, 1998


Board of Commissioners


John D. Clampitt

David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1998-34

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT. COMMONLY KNOWN AS ZA-206/WA98-15: BRIDGEWATER LTD LLC, WASHINGTON TOWNSHIP, PARCEL TOTALING 30.1 ACRES, LOCATED ON THE WEST SIDE OF STATE ROAD 267, 0.43 MILE SOUTH OF COUNTY ROAD 150 SOUTH.

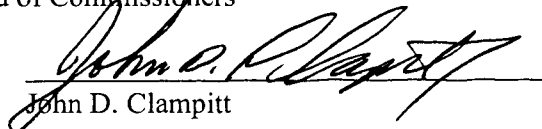
SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the R-2: Medium Density, Single Family District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-206/WA98-15: Bridgewater Ltd, LLC, S15&22-T15-R1E, 30.10 acres, Washington Township, located on the west side of State Road 267, 0.43 mile south of County Road 150 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.

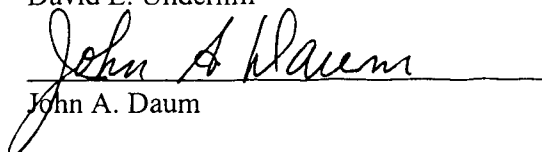
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 21 day of December, 1998

Board of Commissioners


John D. Clampitt

David E. Underhill


John A. Daum

Attest:



Debbie Simpson

Auditor

ORDINANCE NO. 1998-35

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM **R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT**, TO **C-2: GENERAL COMMERCIAL DISTRICT**. COMMONLY KNOWN AS **ZA-208/MA98-01: ERIC D. PIERCE, MARION TOWNSHIP**, PARCEL TOTALING **10.10 ACRES**, LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 36, 0.13 MILE WEST OF STATE ROAD 75.


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 in 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-208/MA98-01: Eric D. Pierce, S5-T15N-R2W, 10.10 acres, Marion Township, located on the north side of U.S. Highway 36, 0.13 mile west of State Road 75.

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 21 day of December, 1998

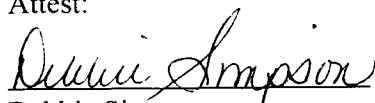
Board of Commissioners


John D. Clampitt

David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

1998 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

WHEREAS, enumerated below is the listed County appropriations and the approved salaries for 1998; and

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

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

SECTION #2: In the event of overtime for non-exempt employees, the rate is calculated at time and one half of the base wage. Overtime is in addition to the base wage and paid from the overtime appropriation.

SECTION #3: Hendricks County employees, with a parttime or temporary employment status (with the exception of those employees identified in Section #4), will have a base wage range of no less than \$5.35 per hour and no more than \$7.64 per hour.

SECTION #4: Hendricks County employees, with a parttime or temporary employment status remitted through a township budget, will have a base wage range of no less than \$5.35 per hour and no more than \$7.50 per hour.

SECTION #5: The base wage for the positions of Elected Official, First Deputy and Department Head will be increased by 3% of the base wage not to exceed an annual increase of \$1,110.00.

SECTION #6: Highway Workers' base wage will be increased by 3% of the gross income as an awarded discretionary increase based upon performance.

SECTION #7: Hendricks County employees' (other than those identified in Sections #3, #4, #5 and #6) base wage will remain as appropriated unless awarded a maximum 3% discretionary increase based upon performance.

SECTION #8: All increases awarded through a departmental wage pool cannot exceed the allowance for each departmental wage pool appropriation.

THE 1998 HENDRICKS COUNTY SALARY ORDINANCE AS APPROVED ON THIS

2nd DAY OF December, 1997 BY:

J. Kenneth Givan
Council President, J. KENNETH GIVAN

Larry R. Hesson
Council Vice-President, LARRY R. HESSON

John D. Clampitt
Board of Commissioners President, JOHN D. CLAMPITT

		APPROVED
FUND	APP	APPROPRIATION
01-084	112	32472.00
	113	21934.00
	114	18841.00
	115	15748.00
01-101	111	38106.00
	112	28380.00
	113	14997.00
	114	15747.00
	115	21427.00
	116	15747.00
	117	14880.00
	118	14913.00
	119	14997.00
	120	15574.00
	121	15747.00
	122	15747.00
	123	17809.00
	124	15747.00
	125	15028.00
	127	15747.00
	128	16053.00
	129	17809.00
	150	5000.00
01-102	111	38106.00
	112	28380.00
	113	23661.00
	114	15764.00
	115	18109.00
	116	18109.00
	117	18109.00
	118	22386.00
	119	18109.00
	120	15743.00
	121	15288.00
	122	15288.00
	150	8400.00
01-103	111	38106.00
	112	28380.00
	113	63318.00
	114	58968.00
	115	76329.00
	116	60788.00
	117	70562.00
	150	15000.00
01-104	111	38106.00
	112	28380.00
	113	58240.00
	114	61775.00
	115	61225.00

		APPROVED
FUND	APP	APPROPRIATION
01-105	111	82872.00
	113	14735.78
	116	19796.68
	117	19796.68
	118	27028.02
	150	5000.00
	153	15925.00
	154	41525.78
	155	27028.02
	156	26497.16
	157	27519.32
	158	39559.84
	159	36856.54
	160	38580.20
	161	39559.84
	162	40294.86
	163	35064.04
	164	35137.88
	165	35137.88
	166	32640.04
	167	31989.04
	168	33662.46
	169	31485.82
	170	26497.16
	171	31008.82
	172	26497.16
	173	39559.84
	174	30497.76
	175	26497.16
	176	34645.84
	177	29990.12
	178	29976.08
	179	30004.68
	180	29976.08
	181	33171.16
	182	33171.16
	184	18373.34
	185	16084.26
	186	16084.26
	187	16084.13
	189	28010.36
	190	26497.16
	191	28010.36
	192	28010.36
	193	27519.32

		APPROVED
FUND	APP	APPROPRIATION
01-106	111	21947.00
	112	14995.00
	113	32265.00
	114	18894.76
	115	21577.47
	116	19815.14
	117	21745.00
	118	15746.64
	150	1000.00
01-107	111	12695.00
	112	2353.00
	113	1147.00
	115	2990.00
01-108	112	38400.00
	113	20830.00
	114	19740.00
	115	19360.00
	116	31328.00
	117	38400.00
	118	4500.00
	119	39140.00
	120	14000.00
	121	19560.00
	122	8000.00
	124	20640.00
01-109	111	38106.00
	112	28380.00
	113	15847.58
	114	16196.75
	115	16196.75
	116	15446.90
	150	8400.00
01-110	111	10126.00
	112	4735.00
	113	4437.00
01-111	111	13033.00
	112	8429.00
	113	700.00
01-112	111	12310.00
	112	12020.00
	113	945.00
01-113	111	12002.00
	112	13150.00
01-114	111	5848.00
	112	6288.00
01-115	111	1919.00
	112	1238.00
01-116	111	1919.00
	112	2658.00
	113	1393.00
01-117	111	1919.00
	112	2563.00

		APPROVED
FUND	APP	APPROPRIATION
01-118	111	3513.00
	112	4519.00
01-119	111	5085.00
	112	2320.00
01-120	111	2538.00
	112	4078.00
01-121	111	1904.00
	112	2770.00
01-130	115	21293.00
	116	18924.00
01-131	111	55872.00
	112	29869.00
	113	27037.00
	114	16583.00
	118	31078.00
	119	17566.00
	120	23587.00
	122	17566.00
	124	22754.00
	125	23335.00
	126	22378.00
	127	15372.00
	128	20192.00
	129	20423.00
	130	21047.00
01-133	113	2000.00
	114	2000.00
	115	2000.00
01-134	111	11932.00
01-135	113	21934.00
	122	18359.00
	123	18359.00
	124	18359.00
01-136	111	28377.00
	112	14322.00
	113	18896.00
	114	12764.00
	115	12710.00
	116	12710.00
	150	6500.00

		APPROVED
FUND	APP	APPROPRIATION
01-137	112	27028.02
	116	15464.80
	117	20547.04
	118	8343.00
	121	21779.14
	122	21779.14
	123	12994.40
	125	19500.84
	126	20224.68
	127	19500.84
	154	21145.00
	155	20224.68
	156	23907.28
	157	27913.02
	158	27913.02
	159	20224.68
	160	19500.84
	161	25413.22
	162	33971.30
	163	20224.68
	164	21779.14
	165	19500.84
	166	25413.22
	167	27913.02
	168	19500.84
	169	25413.22
	170	21779.14
	171	21712.84
	172	20224.68
	173	25413.22
	174	21779.14
	175	20224.68
	176	15911.46
	177	12321.00
	178	12954.88
	179	17990.82
	180	25413.22
	181	20627.08
	182	21779.14
	183	23919.02
	184	25413.22
	185	25413.22
	186	25413.22
	187	22497.98
	188	21779.14
	189	25413.22
	190	19500.84
	191	21712.84
	192	21779.14
	193	21779.14

		APPROVED
FUND	APP	APPROPRIATION
01-138	111	30779.00
	116	15222.00
	117	14387.36
	119	10556.00
	122	14612.00
	123	12560.10
	124	15199.03
	125	12496.10
	126	15199.08
	127	15584.96
	128	14482.00
	129	16650.40
	150	7000.00
01-139	113	19926.00
	116	23006.00
	117	11502.00
	118	23006.00
01-140	112	23225.82
	113	23225.82
	114	19831.97
	150	17786.04
01-141	112	20196.66
	113	20371.66
	114	20196.66
	115	20196.66
	116	23043.66
	117	21883.66
01-142	111	8386.00
	150	1000.00
01-143	111	47872.00
	112	3265802.00
	113	25871.12
	114	25165.02
	116	22034.55
	117	22736.21
	118	33372.25
	119	21206.23
	120	19713.25
	121	16724.00
	122	19608.30
	124	38147.00
	126	26150.92
	150	7280.00
01-144	111	31685.00
	112	18746.00
	113	18746.00
	114	18746.00
	115	16511.24
	116	18200.00
01-145	111	8640.00
	150	3082.00

		APPROVED
FUND	APP	APPROPRIATION
01-146	112	21730.00
	116	16198.00
	122	15288.00
	123	10000.00
01-147	110	42065.00
	111	25457.40
	112	22751.59
	113	20105.00
01-149	113	5616.00
	114	5616.00
	115	5616.00
	116	5616.00
	117	5616.00
	118	5616.00
	119	5616.00
01-150	112	39044.00
	113	31099.00
	114	22753.00
	115	29210.00
	120	29210.00
	150	6000.00
01-151	111	28681.00
	112	23393.93
	113	23393.93
	114	23393.93
	115	23393.93
	116	23393.93
	117	23436.50
	118	18396.83
	120	30313.93
	121	30313.93
01-152	112	19783.00
	113	15748.00
	114	14998.00
	150	4200.00
01-153	112	19858.75
	113	22754.00
	114	22941.65
	115	20312.25
	116	19925.35
01-155	111	20939.00

		APPROVED
FUND	APP	APPROPRIATION
02-201	111	37853.00
	112	32886.00
	113	24992.00
	115	5896.00
	121	25708.00
	122	23837.00
	123	21508.00
	124	25085.00
	125	21508.00
	126	25709.00
	127	24461.00
	128	26271.00
	129	26271.00
	130	24149.00
	131	25709.00
	132	25709.00
	133	25397.00
	134	22901.00
	135	25709.00
	136	26271.00
	137	19282.00
	138	23525.00
	139	25709.00
	140	23837.00
	141	25397.00
	142	23525.00
	143	4615.00
	144	4615.00
	145	25709.00
	146	4615.00
	147	4615.00
	148	26271.00
	149	21508.00
	150	24087.00
	151	23525.00
	154	23213.00
	155	23775.00
	156	4615.00
	157	25709.00
	158	4615.00
	159	6200.00

FUND	APP	APPROVED
		APPROPRIATION
25-203	112	25709.00
	113	25709.00
	115	25709.00
	116	23837.00
	117	34008.00
05-213	110	24570.00
	113	20081.00
	114	32454.00
	115	44172.00
	116	43110.00
	117	20081.00
	118	16257.00
	119	15590.00
	121	32097.00
	122	26191.00
	123	29919.00
	124	28613.00
	125	29919.00
	127	28613.00
	150	14000.00
06-503	111	26119.00
06-513	111	24150.00
	112	22602.00
	113	21525.00
	150	3200.00
06-653	111	25500.00
09-505	111	34680.00
	112	15847.58
	113	15835.90
	114	15724.80
	150	30000.00
14-514	111	23150.00
16-317	111	16069.00
	112	6920.00
	113	6920.00
	114	6920.00
	115	6920.00
	116	6920.00
	117	907.00
	119	16052.00
	150	800.00
16-319	111	2990.00
16-322	111	30431.00
	112	16053.00
17-516	111	20627.08
	112	21779.14
	113	20627.08

COUNTY COUNCIL ORDINANCE NO. 98-25

AN ORDINANCE OF HENDRICKS COUNTY, INDIANA, AUTHORIZING THE ISSUANCE AND SALE OF COUNTY ECONOMIC DEVELOPMENT INCOME TAX REFUNDING REVENUE BONDS OF THE COUNTY, PAYABLE SOLELY FROM COUNTY ECONOMIC DEVELOPMENT INCOME TAX REVENUES TO BE RECEIVED BY THE COUNTY, IN THE PRINCIPAL AMOUNT NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000), FOR THE PURPOSE OF FINANCING COSTS OF REFUNDING CERTAIN BONDS OF THE COUNTY, APPROPRIATING THE PROCEEDS THEREFROM, AND TAKING OTHER ACTIONS RELATED THERETO.

WHEREAS, the Hendricks County Council has imposed the county economic development income tax on the county taxpayers of Hendricks County, Indiana (the "County"), pursuant to IC 6-3.5-7-5; and

WHEREAS, on January 6, 1992, the Hendricks County Board of Commissioners adopted a capital improvement plan (the "Plan") pursuant to IC 6-3.5-7-15 specifying the uses of the revenues to be received by the County under IC 6-3.5-7; and

WHEREAS, the Plan sets forth the County's intention to use a portion of the revenues to be received under IC 6-3.5-7 for the following economic development project or for the retirement of bonds issued under IC 6-3.5-7-14 to finance such project, which project consists of assisting the Indiana Transportation Finance Authority pursuant to IC 8-21-12 in the construction of a major aircraft maintenance facility for United Air Lines at Indianapolis International Airport (the "Economic Development Project"); and

WHEREAS, the Economic Development Project constitutes an "economic development project" as defined in IC 6-3.5-7-13.1(c) in that it will promote significant opportunities for the gainful employment of the citizens of the County and will involve expenditures for various costs relating to items listed in IC 6-3.5-7-13.1(c)(2); and

WHEREAS, on February 18, 1992, the County issued its Hendricks County, Indiana, Economic Development Income Tax Revenue Bonds, Series 1992A (the "1992 Bonds"), in the aggregate principal amount of Eight Million Three Hundred Fifty Thousand Dollars (\$8,350,000), to finance the Economic Development Project, pursuant to Ordinance No. 1992-8 adopted by the County Council of the County on February 4, 1992 (the "1992 Ordinance"); and

WHEREAS, on the date hereof, Five Million Six Hundred Thirty-Five Thousand Dollars (\$5,635,000) aggregate principal amount of the 1992 Bonds remain outstanding (the "Outstanding 1992 Bonds"); and

WHEREAS, IC 5-1-5 authorizes the governing body of any issuing body to provide for the issuance of bonds to refund outstanding bonds issued by such issuing body to effect a saving to the issuing body or to modify restrictive covenants in outstanding bonds impeding additional financing; and

WHEREAS, the issuance of the Bonds (as hereinafter defined) will effect a saving to the County; and

WHEREAS, the 1992 Ordinance contains restrictive covenants pursuant to which the County is required to fund a debt service reserve account from county economic development income tax revenues, which covenants impede the County's use of county economic development income tax revenues to finance additional economic development projects; and

WHEREAS, the issuance of the Bonds will modify such covenants by either eliminating any requirement to fund a debt service reserve account or permitting satisfaction of such requirement with a surety bond, insurance policy, guaranty, letter of credit or other credit facility, thereby permitting

the County's use of county economic development income tax revenues to finance additional economic development projects;

WHEREAS, the proceeds of the Bonds (including investment earnings thereon) have not been included in any regular budget; and

WHEREAS, an extraordinary emergency and necessity exist for the making of the additional appropriation set out herein; and

WHEREAS, notice of a hearing on said appropriation has been published as required by law and such public hearing was held on said appropriation at which all taxpayers and interested persons had an opportunity to appear and express their views as to such additional appropriation;

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

SECTION 1. The Board of Commissioners of the County is hereby authorized to make a loan in the principal amount not to exceed Six Million Dollars (\$6,000,000), for and on behalf of the County, for the purpose of providing funds to be applied to the refunding of all of the Outstanding 1992 Bonds (the "Refunded Bonds"), including the payment of any and all redemption premiums on the Refunded Bonds and the payment of any and all expenses in connection with such refunding and the issuance of bonds to provide therefor (such refunding, the "Refunding"). The Refunded Bonds shall be paid when due at maturity or redeemed on January 1, 2002.

SECTION 2. In order to procure funds for said loan, the Board of Commissioners of the County is hereby authorized and directed to have prepared and to issue and sell negotiable county economic development income tax revenue refunding bonds of the County, to be designated as

“Hendricks County, Indiana, Economic Development Income Tax Refunding Revenue Bonds, Series 1998A” (the “Bonds”), in the aggregate principal amount not to exceed Six Million Dollars (\$6,000,000). The Bonds shall be payable solely from the Sinking Fund referred to below.

The Bonds shall be issued in fully registered form in denominations of Five Thousand Dollars (\$5,000) or an integral multiple thereof (“Authorized Denominations”) not exceeding the aggregate principal amount of Bonds maturing in any year. The Bonds shall be numbered consecutively from 98A-1 upwards and shall bear interest payable semiannually commencing January 1, 1999, and each January 1 and July 1 thereafter at a rate or rates not to exceed six percent (6%) per annum (the exact rate or rates to be determined by negotiation). Interest shall be calculated on the basis of twelve (12) thirty (30)-day months for a three hundred sixty (360)-day year.

The Bonds shall mature (or, with respect to any term Bonds, be subject to mandatory sinking fund redemption) on January 1 and July 1 in each year, on the dates and in the amounts as shall be determined by the Board of Commissioners of the County at the time of the sale of the Bonds; provided, however, that the last maturity of the Bonds shall be no later than January 1, 2007.

National City Bank, Indiana, is hereby appointed as Registrar (National City Bank, Indiana, and any subsequent registrar appointed pursuant to this Ordinance shall hereinafter be referred to as the “Registrar”) for the Bonds and is hereby charged with the responsibility of authenticating the Bonds. The Registrar shall keep and maintain at its principal office books for the registration and for the transfer of the Bonds (the “Bond Register”). The County Auditor and the Board of Commissioners of the County are hereby authorized and directed, on behalf of the County, to enter into such agreements or understandings with the Registrar as will enable the Registrar to perform the

services required of a registrar, and are authorized and directed to pay the Registrar for its services out of available funds.

The principal of and premium, if any, on the Bonds shall be payable at the principal office of National City Bank, Indiana, which is hereby appointed as the Paying Agent (National City Bank, Indiana, and any subsequent paying agent appointed pursuant to this Ordinance shall hereinafter be referred to as the "Paying Agent") for the Bonds. Interest on the Bonds shall be paid by check or draft mailed or delivered to the registered owners thereof at the address as it appears on the Bond Register as of the fifteenth (15th) day of the month immediately preceding the interest payment date or at such other address as is provided to the Paying Agent in writing by such registered owners; provided, however, that holders of at least One Hundred Thousand Dollars (\$100,000) in aggregate principal amount of Bonds may receive payment of interest by wire transfer to a financial institution in the United States of America, if requested in writing on or prior to the fifteenth (15th) day of the month immediately preceding the interest payment date. All payments on the Bonds shall be made in any coin or currency of the United States of America which on the dates of such payments shall be legal tender for the payment of public and private debts. The County Auditor and the Board of Commissioners of the County are hereby authorized and directed, on behalf of the County, to enter into such agreements or understandings with the Paying Agent as will enable it to perform the services required of a Paying Agent, and are authorized and directed to pay said Paying Agent for its services out of available funds.

Each Bond shall be transferable or exchangeable only upon the Bond Register, by the registered owner thereof in person, or by his attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar

duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. Bonds may be transferred or exchanged without cost to the registered owner, except for any tax or governmental charge required to be paid with respect to the exchange. The Registrar shall not be obligated to make any exchange or transfer of Bonds during the period from the fifteenth (15th) day of any calendar month immediately preceding an interest payment date on the Bonds until such interest payment date. The Registrar also shall not be obligated to (i) register, transfer or exchange any Bonds during the fifteen (15) day period immediately preceding the mailing of a notice of redemption of any Bonds, or (ii) register, transfer or exchange any Bonds that have been duly called for redemption on or after the date of mailing notice of such call. The County, the Registrar and the Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

In the event any Bond is mutilated, lost, stolen or destroyed, the County may execute and the Registrar may authenticate a new Bond of like date, maturity and denomination as that mutilated, lost, stolen or destroyed, which new Bond shall be marked in a manner to distinguish it from the Bond for which it was issued, provided that, in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the County and the Registrar and, in the case of any lost, stolen or destroyed Bond, there shall be first furnished to the County and the Registrar evidence of such loss, theft or destruction satisfactory to the County and the Registrar, together with indemnity satisfactory to them.

In the event any such lost, stolen or destroyed Bond shall have matured, instead of issuing a duplicate Bond, the County and the Registrar may, upon receiving indemnity satisfactory to them, pay the same without surrender thereof. The County and the Registrar may charge the owner of such Bond with their reasonable fees and expenses in connection with the above. Every substitute Bond issued by reason of any Bond being lost, stolen or destroyed shall, with respect to such Bond, constitute a substitute contractual obligation of the County, whether or not the lost, stolen or destroyed Bond shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other Bonds duly issued hereunder.

The Bonds and any bonds hereafter issued on a parity therewith, as to principal, premium, if any, and interest, shall be payable from and secured by an irrevocable pledge of and shall constitute a charge upon all the county economic development income tax revenues of the County deposited into the Sinking Fund as defined below. The County shall not be obligated to pay the Bonds or the premium, if any, or the interest thereon except from the county economic development income tax revenues of the County deposited into the Sinking Fund as defined below.

The Bonds shall bear an Original Date which shall be the first day of the month in which the Bonds are delivered, and each Bond shall also bear the date of its authentication. Bonds authenticated on or before December 15, 1998, shall be paid interest from the Original Date. Bonds authenticated thereafter shall be paid interest from the interest payment date next preceding the date of authentication of such Bonds unless the Bonds are authenticated between the fifteenth (15th) day of the month preceding an interest payment date and the interest payment date, in which case interest thereon shall be paid from such interest payment date.

The Bonds shall be executed in the name of Hendricks County by the manual or facsimile signature of the Board of Commissioners of the County, and attested by the manual or facsimile signature of the Auditor, who shall cause the official seal of the Board of Commissioners of the County to be impressed or a facsimile thereof to be printed or otherwise reproduced on each of the Bonds. Subject to the provisions for registration, the Bonds shall be negotiable under the laws of the State of Indiana.

The Bonds shall be authenticated with the manual signature of an authorized representative of the Registrar, and no Bond shall be valid or obligatory for any purpose until the certificate of authentication on such Bond shall have been so executed.

The Registrar or the Paying Agent may at any time resign as Registrar or Paying Agent by giving thirty (30) days' written notice to the County and by first-class mail to each registered owner of Bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar or Paying Agent, as the case may be, by the County. Such notice to the County may be served personally or be sent by registered mail. The Registrar or Paying Agent may be removed at any time as Registrar or Paying Agent by the County (unless the County is in default on the payment of principal or interest on the Bonds), in which event the County may appoint a successor Registrar or Paying Agent, as the case may be. The County shall notify each registered owner of Bonds then outstanding by first-class mail of the removal of the Registrar or Paying Agent. Notices to registered owners of Bonds shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear on the Bond Register. Any predecessor Registrar shall deliver all the Bonds in its possession and the Bond

Register to the successor Registrar and any predecessor Paying Agent shall deliver all the cash in its possession to the successor Paying Agent.

The Bonds may, in compliance with all applicable laws, be issued and held in book-entry form on the books of the central depository system, The Depository Trust Company, its successors, or any successor central depository system appointed by the County from time to time (the "Clearing Agency"). The County and Registrar may, in connection herewith, do or perform or cause to be done or performed any acts or things not adverse to the rights of the holders of the Bonds, as are necessary or appropriate to accomplish or recognize such book-entry form Bonds.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency (1) any such Bond may be registered upon the books kept by the Registrar in the name of such Clearing Agency, or any nominee, thereof, including CEDE & Co., as nominee of The Depository Trust Company; (2) the Clearing Agency in whose name such Bond is so registered shall be, and the County and the Registrar and Paying Agent may deem and treat such Clearing Agency as, the absolute owner and holder of such Bond for all purposes of this Ordinance, including, without limitation, the receiving of payment of the principal of, premium, if any, on and interest on such Bond, the receiving of notice and giving of consent; (3) neither the County nor the Registrar or Paying Agent shall have any responsibility or obligation hereunder to any direct or indirect participant, within the meaning of Section 17A of the Securities Exchange Act of 1934, as amended, of such Clearing Agency, or any person on behalf of which, or otherwise in respect of which, any such participant holds any interest in any Bond, including, without limitation, any responsibility or obligation hereunder to maintain accurate records of any interest in any Bond or any responsibility or obligation hereunder with respect to the receiving of payment of principal, premium, if any, or interest on any

Bonds, the receiving of notice or the giving of consent; and (4) the Clearing Agency is not required to present any Bond called for partial redemption prior to receiving payment so long as the Registrar and Paying Agent and the Clearing Agency have agreed to the method for noting such partial redemption.

If either (i) the County receives notice from the Clearing Agency which is currently the registered owner of the Bonds to the effect that such Clearing Agency is unable or unwilling to discharge its responsibility as a Clearing Agency for the Bonds or (ii) the County elects to discontinue its use of such Clearing Agency as a Clearing Agency for the Bonds, then the County and Registrar and Paying Agent each shall do or perform or cause to be done or performed all acts or things, not adverse to the rights of the holders of the Bonds, as are necessary or appropriate to discontinue use of such Clearing Agency as a Clearing Agency for the Bonds and to transfer the ownership of each of the Bonds to such person or persons, including any other Clearing Agency, as the holder of the Bonds may direct in accordance with this Ordinance. Any expenses of such discontinuance and transfer, including expenses of printing new certificates to evidence the Bonds, shall be paid by the County.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency, the Registrar and Paying Agent shall be entitled to request and rely upon a certificate or other written representation from the Clearing Agency or any participant or indirect participant with respect to the identity of any beneficial owners of the Bonds as of a record date selected by the Registrar and Paying Agent. For purposes of determining whether the consent, advice, direction or demand of a Registered Owner of the Bond has been obtained, the Registrar or Paying Agent shall be entitled to treat the beneficial owners of the Bonds as the Bondholders.

SECTION 3. The form and tenor of the Bonds shall be substantially as follows (all blanks to be properly completed prior to the printing of the Bonds):

County of Hendricks
§ _____

11

rate per annum specified above from the interest payment date immediately preceding the date of authentication of this bond, unless this bond is authenticated on or before December 15, 1998, in which case interest shall be paid from the Original Date specified above, or unless this bond is authenticated between the fifteenth (15th) day of the month preceding an interest payment date and the interest payment date, in which case interest shall be paid from such interest payment date. Interest is payable January 1, 1999, and semiannually thereafter on January 1 and July 1 of each year by check or draft. Interest shall be calculated on the basis of twelve (12) thirty day months for a three hundred sixty (360) day year.

The principal of and premium, if any, on this bond are payable in lawful money of the United States of America at the principal office of National City Bank, Indiana, as Paying Agent (which term shall include any successor paying agent) (the "Paying Agent"). Interest on this bond shall be paid by check or draft mailed or delivered to the registered owner hereof at the address as it appears on the books kept by National City Bank, Indiana, as Registrar (which term shall include any successor registrar) for the registration and for the transfer of the bonds (the "Bond Register") as of the fifteenth (15th) day of the month immediately preceding the interest payment date or at such other address as is provided to the Paying Agent in writing by the registered owner; provided, however, that if the Registered Owner of this bond is the holder of at least One Hundred Thousand Dollars (\$100,000) in aggregate principal amount of bonds of this issue, such Registered Owner may receive payment of interest by wire transfer to a financial institution in the United States of America, if requested in writing on or prior to the fifteenth (15th) day of the month immediately preceding the interest payment date.

This bond is one of an authorized issue of bonds of the County, aggregating no more than Six Million Dollars (\$6,000,000) numbered consecutively from 98A-1 upwards, issued pursuant to an ordinance adopted by the County Council of said County on _____, 1998, entitled "An Ordinance of Hendricks County, Indiana, authorizing the issuance and sale of county economic development income tax refunding revenue bonds of the County, payable solely from county economic development income tax revenues to be received by the County, in the principal amount not to exceed Six Million Dollars (\$6,000,000) for the purpose of financing costs of refunding certain bonds of the County, appropriating the proceeds therefrom, and taking other actions related thereto" (the "Ordinance"), and the Indiana Code. Reference is hereby made to the Ordinance for a description of the nature and extent of the rights, duties and obligations of the owners of the bonds and the County and the terms on which this bond is issued, and to all the provisions of the Ordinance to which the registered owner hereof by the acceptance of this bond assents.

Pursuant to provisions of the Ordinance, the principal of and interest on this bond and all other bonds of said issue, and any bonds hereafter issued ranking on a parity therewith, are payable solely from the Sinking Fund referred to in the Ordinance to be provided from the county economic development income tax revenues of the County. The County shall not be obligated to pay this bond or the interest thereon except from said special fund provided from said revenues. Subject to the provisions for registration, this bond is negotiable under the laws of the State of Indiana.

Hendricks County irrevocably pledges the entire county economic development income tax revenues of the County deposited into the Sinking Fund referred to in the Ordinance, to the extent necessary for that purpose, to the prompt payment of principal of and interest on the bonds

authorized by the Ordinance, of which this bond is one, and any bonds hereafter issued on a parity therewith.

The terms and provisions of this bond are continued on the reverse side hereof and such continued terms and provisions shall for all purposes have the same effect as though fully set forth at this place.

It is hereby certified and recited that all acts, conditions and things required by law and the Constitution of the State of Indiana to be done precedent to and in the execution, issuance, sale and delivery of this bond have been properly done, happened and performed in regular and due form as provided by law; and that this bond and said total issue of bonds is within every limit of indebtedness provided by the Constitution and laws of the State of Indiana.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Ordinance authorizing this bond until the certificate of authentication hereon shall have been duly executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, Hendricks County, in the State of Indiana, by ordinance of its County Council, has caused this bond to be executed in its corporate name by the manual or facsimile signature of its Board of Commissioners and attested by the manual or facsimile signature of its Auditor, who has caused the official corporate seal of its Board of Commissioners to be impressed or a facsimile thereof to be printed or otherwise reproduced hereon.

HENDRICKS COUNTY, INDIANA

By: The Board of Commissioners of
Hendricks County, Indiana

By: _____

Commissioner

Commissioner

Commissioner

(SEAL)

ATTEST:

Auditor, County of Hendricks, Indiana

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within mentioned Ordinance.

NATIONAL CITY BANK, INDIANA,
as Registrar

By: _____
Authorized Representative

[Reverse of Bond]

The County reserves the right pursuant to the terms and conditions of the Ordinance to authorize and issue additional bonds or other obligations hereafter payable out of the county economic development income tax revenues of the County, ranking on a parity herewith or junior hereto, for the purpose of financing additional costs of the economic development project for which the bonds were issued and future economic development projects.

[Bonds of this issue maturing on or after July 1, 2006 are redeemable on January 1, 2006, or any date thereafter, at the option of the County in whole or in part (only in authorized denominations) in inverse order of maturity and by lot (in such manner as the Registrar shall determine) within a maturity. Bonds so redeemed shall be redeemed on such redemption date at a price equal to the applicable percentage set out below of the principal amount of the bonds outstanding to be redeemed plus accrued interest to the redemption date on the principal amount to be redeemed:

101% if redeemed on January 1, 2006, or thereafter on or before December
31, 2006;

100% if redeemed on January 1, 2007, or thereafter prior to maturity.]

[Bonds of this issue maturing on _____ 1, _____, are subject to mandatory sinking fund redemption by lot prior to maturity on the dates and in the amounts set forth below at a price equal to the principal amount thereof, plus accrued interest to the date of redemption without premium:

Term Bonds Due _____ 1, _____

Date _____ Principal Amount

]

Unless waived by any registered owner of bonds to be redeemed, official notice of any such redemption shall be given by the Registrar on behalf of the County identifying the bonds, by mailing a copy of an official redemption notice by registered or certified mail at least thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption to the registered owner of the bond or bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Registrar; provided, however, that failure to give such notice, or any defect therein, with respect to any bond shall not affect the validity of any proceedings for the redemption of other bonds.

Prior to any redemption date, the County shall deposit with the Paying Agent an amount of money sufficient to pay the redemption price of all of the Bonds or portions of the Bonds which are to be redeemed on that date.

Official notice of redemption having been given as aforesaid, the bond or portions of bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price

therein specified, and from and after such date (unless the County shall default in the payment of the redemption price) such bonds or portions of bonds shall cease to bear interest. Upon surrender of such bonds for redemption in accordance with said notice, such bonds shall be paid by the Paying Agent at the redemption price. Bonds redeemed in part may be exchanged for a bond or bonds of the same maturity in authorized denominations equal to the remaining principal amount.

The principal of and premium, if any, and interest on this bond and all other bonds of said issue, and any bonds or other obligations hereafter issued ranking on a parity herewith, are, to the extent and as provided in the Ordinance, payable solely out of the Sinking Fund created pursuant to the Ordinance, to be provided from the county economic development income tax revenues to be received by the County.

In the manner provided in the Ordinance, the Ordinance and the rights and obligations of the County and of the owners of the bonds may (with certain exceptions as stated in the Ordinance) be modified or amended with the consent of the owners of at least sixty percent (60%) in aggregate principal amount of outstanding bonds exclusive of bonds, if any, owned by the County. Additional bonds ranking on a parity with the bonds authorized by the Ordinance and other bonds, junior to the bonds authorized by the Ordinance, may be issued in accordance with the terms of the Ordinance.

This bond is transferable or exchangeable only upon the Bond Register, by the Registered Owner hereof in person, or by his attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or his attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or to the Registered Owner, as

the case may be, in exchange therefor. This bond may be transferred or exchanged without cost to the Registered Owner, except for any tax or governmental charge required to be paid with respect to the exchange. The Registrar shall not be obligated to make any exchange or transfer of this bond during the period from the fifteenth (15th) day of any calendar month immediately preceding an interest payment date on this bond until such interest payment date. The Registrar also shall not be obligated to (i) register, transfer or exchange this bond during the fifteen (15) day period immediately preceding the mailing of a notice of redemption of any bonds of this issue, or (ii) register, transfer or exchange this bond, if it has been duly called for redemption, on or after the date of mailing notice of such call. The County, the Registrar and the Paying Agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes, including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

In the event this bond is mutilated, lost, stolen or destroyed, the County may execute and the Registrar may authenticate a new bond of like date, maturity and denomination as this bond, which new bond shall be marked in a manner to distinguish it from this bond; provided that, in the case of this bond being mutilated, this bond shall first be surrendered to the County and the Registrar, and in the case of this bond being lost, stolen or destroyed, there shall first be furnished to the County and the Registrar evidence of such loss, theft or destruction satisfactory to the County and the Registrar, together with indemnity satisfactory to them. In the event that this bond, being lost, stolen or destroyed, shall have matured, instead of issuing a duplicate bond the County and the Registrar may, upon receiving indemnity satisfactory to them, pay this bond without surrender hereof. In such event, the County and the Registrar may charge the owner of this bond with their reasonable fees and

expenses in connection with the above. Every substitute bond issued by reason of this bond being lost, stolen or destroyed shall, with respect to this bond, constitute a substitute contractual obligation of the County, whether or not this bond, being lost, stolen or destroyed, shall be found at any time, and shall be entitled to all the benefits of the Ordinance, equally and proportionately with any and all other bonds duly issued thereunder.

The Registrar or Paying Agent may at any time resign as Registrar or Paying Agent by giving thirty (30) days' written notice to the County and by first-class mail to the registered owners of bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar or Paying Agent, as the case may be, by the County. Such notice to the County may be served personally or be sent by registered mail. The Registrar or Paying Agent may be removed at any time as Registrar or Paying Agent by the County (unless the County is in default on the payment of principal or interest on the Bonds), in which event the County may appoint a successor Registrar or Paying Agent, as the case may be. The County shall notify the registered owner of this bond, if then outstanding, by first-class mail of the removal of the Registrar or Paying Agent. Notices to registered owners of bonds shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear in the registration books kept by the Registrar.

The bonds maturing in any one year are issuable only in fully registered form in denominations of Five Thousand Dollars (\$5,000) or any integral multiple thereof not exceeding the aggregate principal amount of the bonds maturing in such year.

The County shall not, as long as any bond is outstanding, reduce the county economic development income tax rate imposed on the adjusted gross income of county taxpayers below the rate required to be maintained by law and the Ordinance.

If this bond shall have become due and payable in accordance with its terms or this bond or a portion hereof shall have been duly called for redemption, or irrevocable instructions to call this bond or a portion hereof for redemption have been given, and the whole amount of the principal of, the premium, if any, and interest, so due and payable upon all of this bond or a portion hereof then outstanding shall be paid or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, and provision shall also have been made for paying all fees and expenses in connection with the redemption, then and in that case this bond or such portion hereof shall no longer be deemed outstanding or an indebtedness of the County.

A Continuing Disclosure Agreement from the County to each registered owner or holder of any Bond, dated as of the date of initial issuance of the Bonds (the "Agreement"), has been executed by the County, a copy of which is available from the County and the terms of which are incorporated herein by this reference. The Agreement contains certain promises of the County to each registered owner or holder of any Bond, including a promise to provide certain continuing disclosure. By its payment for and acceptance of this bond, the registered owner or holder of this bond assents to the Agreement and to the exchange of such payment and acceptance for such promises.

The following abbreviations, when used in the inscription of the face of this bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN. COM.	as tenants in common
TEN. ENT.	as tenants by the entireties
JT. TEN.	as joint tenants with right of survivorship and not as tenants in common
UNIF. GIFT	
MIN. ACT	<div>_____ Custodian _____ (Cust.) (Minor) under Uniform Gifts to Minors Act of _____ (State)</div>

Additional abbreviations may also be used although not in the above list.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____

(insert name and address)

the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____
_____ attorney to transfer the within bond on the books kept for the registration thereof with full
power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

NOTICE: Signature(s) must
be guaranteed by an eligible
guarantor institution
participating in Securities Transfer
Association recognized signature guarantee
program

SECTION 4. The Bonds shall be sold by private negotiated sale to First Chicago Capital Markets, Inc. and Roney Capital Markets (collectively, the "Purchaser"), at a price of not less than ninety-eight and five-tenths percent (98.5%) of par plus accrued interest to the date of delivery of the Bonds. The Board of Commissioners is hereby authorized to execute and deliver a purchase agreement with the Purchaser (the "Purchase Agreement"). The Board of Commissioners is further

authorized to carry out, on behalf of the County, the terms and conditions set forth in the Purchase Agreement, consistent with the provisions of this Ordinance.

SECTION 5. The Auditor is hereby authorized and directed to have such Bonds prepared. In case any officer whose signature appears on the Bonds shall cease to hold that office before the delivery of the Bonds, the signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until the delivery of the Bonds. After the Bonds have been properly executed, the Auditor shall deliver the Bonds to the Treasurer of Hendricks County who shall, upon receipt of the purchase price therefor, deliver the Bonds to the Purchaser in the manner provided by law.

SECTION 6. The Bonds, when fully paid for and delivered to the Purchaser, shall be valid and binding special revenue obligations of the County, payable solely out of the county economic development income tax revenues of the County to be fixed and set aside into the Sinking Fund, as herein provided, and the proceeds derived from the sale of the Bonds shall be and are hereby set aside for application by the County solely to the payment of the cost of the Refunding, as provided herein.

SECTION 7. The revenues received by the County from distributions of the county economic development income tax shall be used and applied by the County only as provided in this Ordinance in strict accordance with the provisions of IC 6-3.5-7 (IC 6-3.5-7, as amended, is sometimes herein referred to as the "Act"). All of such revenues shall be segregated and kept in special accounts separate and apart from all other funds of the County and shall be used and applied in payment of bonds and interest thereon which by their terms are payable from such revenues and to maintain a reasonable reserve, in accordance with this Ordinance and the Act. There is hereby created and established pursuant to the Act a fund known as the "County Economic Development Income Tax

Fund” consisting of a Bond Principal and Interest Account, a Reserve Account and an Excess Account. The Bond Principal and Interest Account and the Reserve Account together shall be referred to as the “Sinking Fund”. The County hereby covenants and agrees to cause to be kept and maintained both of such accounts so long as needed for the purposes set forth herein. All of the county economic development income tax revenues of the County shall be set aside in the following accounts in the following order of priority and to the extent indicated below:

- (1) Bond Principal and Interest Account;
- (2) Reserve Account; and
- (3) Excess Account.

(a) Bond Principal and Interest Account. As soon as possible upon receipt by the County of county economic development income tax distributions due in May and November of each year (the “May Distribution” and the “November Distribution”, respectively), but in any event not later than June 30 (in the case of the May Distribution) or December 31 (in the case of the November Distribution) next following the receipt by the County of such revenues, the County shall set apart and pay all of such revenues into the Bond Principal and Interest Account to be used to pay the interest on and principal of the Bonds; provided, however, that no deposit shall be made into such account whenever the balance therein is sufficient to pay the next following semi-annual interest and principal (if any) payments on the Bonds.

(b) Reserve Account. If at the time of sale of the Bonds the Board of Commissioners, with the advice of the financial advisor of the County, determines such Reserve Account is reasonably required to sell the Bonds and accomplish the Refunding, the county economic development income tax revenues of the County shall next be set apart and paid into the Reserve

Account and used to make deposits into the Bond Principal and Interest Account in the event of any deficiency at any time in such account, or for the purpose of paying the interest on or principal of or redemption premiums, if any, on the Bonds in the event no other money is lawfully available therefor, or to make the final payment of interest on or principal of the Bonds; provided, however, that no deposit shall be made into the Reserve Account so long as there shall be on deposit therein an amount equal to the least of (i) the maximum annual debt service on the Bonds, or (ii) one and one-fourth (1-1/4) times the average annual debt service on the Bonds, or (iii) 10% of the proceeds of the Bonds, within the meaning of Section 148(d) of the Internal Revenue Code of 1986, as amended (the "Code") (the "Debt Service Reserve Requirement"). Any portion of the Debt Service Reserve Requirement will be deemed to be satisfied if there is on deposit in the Reserve Account any surety bond, insurance policy, guaranty, letter of credit or other credit facility in any amount equal to such portion.

(c) Excess Account. Any remaining county economic development income tax revenues of the County shall be deemed excess funds and shall be deposited in the Excess Account for appropriation and use as permitted by law. In the event of any deficiency at any time in the Bond Principal and Interest Account for the purposes of paying the interest on or principal of the Bonds or such additional bonds or other obligations secured by economic development income tax revenues as authorized herein, funds may be withdrawn from the Excess Account for deposit into said Bond Principal and Interest Account in the amount of such deficiency.

All funds in said accounts shall be segregated and kept separate and apart from all other funds of the County and shall be deposited in lawful depositories of the County and continuously held and secured or invested as provided by law. Interest earned in each such account shall be credited to such

account, except that the amount of funds in the Reserve Account shall not exceed the Debt Service Reserve Requirement, and any such excess shall be deposited into the Bond Principal and Interest Account.

SECTION 8. Any accrued interest, unused discount and premium received at the time of the delivery of the Bonds shall be deposited into the Bond Principal and Interest Account. The remaining proceeds from the sale of the Bonds shall be deposited into a special fund to be designated as the "Hendricks County Economic Development Refunding Fund" (the "Refunding Fund"). Such fund shall be deposited with a legally qualified depository or depositories for the funds of the County as provided by law and shall be segregated and kept separate and apart from all other funds of the County and may be invested as permitted by law. The money in the Refunding Fund may be expended only for the purpose of paying the costs of the Refunding. A portion of the proceeds of the Bonds deposited in the Refunding Fund shall be transferred to the Escrow Agent (as hereinafter defined) under the Escrow Agreement (as hereinafter defined) to provide for the payment of the interest and premium on and the principal of the Refunded Bonds. Any balances remaining in the Project Fund thereafter shall be transferred to the Bond Principal and Interest Account of the County Economic Development Income Tax Fund and used solely for the purposes of that account as provided for herein.

SECTION 9. Bonds of this issue maturing on or after July 1, 2006 are redeemable on January 1, 2006, or any date thereafter, at the option of the County in whole or in part (only in authorized denominations) in inverse order of maturity and by lot (in such manner as the Registrar shall determine) within a maturity. Bonds so redeemed shall be redeemed on such redemption date at a price equal to the applicable percentage set out below of the principal amount of the bonds

outstanding to be redeemed plus accrued interest to the redemption date on the principal amount to be redeemed:

101% if redeemed on January 1, 2006, or thereafter on or before December 31, 2006;

100% if redeemed on January 1, 2007, or thereafter prior to maturity.

At the time of sale, with the advice of the County's financial advisor, the Board of Commissioners may amend the terms of optional redemption set forth in the preceding paragraph and may designate maturities of the Bonds (or a portion thereof in Authorized Denominations), that may be subject to optional and/or mandatory sinking fund redemption, and corresponding redemption dates, amounts and prices (including premium, if any). Except as otherwise set forth in this Ordinance, the Board of Commissioners is hereby authorized and directed to determine the terms governing any such redemption.

Unless waived by any registered owner of Bonds to be redeemed, official notice of any such redemption shall be given by the Registrar on behalf of the County identifying the Bonds, by mailing a copy of an official redemption notice by registered or certified mail at least thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or such other address as is furnished in writing by such registered owner to the Registrar; provided, however, that failure to give such notice by mailing, or any defect therein, with respect to any Bond shall not affect the validity of any proceedings for the redemption of other Bonds.

All official notices of redemption shall be dated and shall state:

- (1) The redemption date,

- (2) The redemption price,
- (3) If less than all outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed,
- (4) That on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and
- (5) The place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the place provided for the payment of the principal of and premium, if any, on the Bonds.

Prior to any redemption date, the County shall cause to be deposited with the Paying Agent an amount of money sufficient to pay the redemption price of all the Bonds or portions of the Bonds which are to be redeemed on that date.

Official notice of redemption having been given as aforesaid, the Bonds or portions of the Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the County shall default in the payment of the redemption price) such Bonds or portions of the Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Paying Agent at the redemption price. Bonds redeemed in part may be exchanged for a Bond or Bonds of the same maturity in Authorized Denominations equal to the remaining principal amount. In addition to the foregoing notice, further notice may be given by the Registrar as it deems appropriate by mail, publication or otherwise to registered securities depositories, national

information services or others containing the above information and such further information as the Registrar may deem appropriate, but no defect in said further notice, nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as above described.

SECTION 10. The provisions of this Ordinance shall be construed to create a trust in the proceeds of the sale of the Bonds for the uses and purposes herein set forth, and the registered owners of the Bonds shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this Ordinance. The provisions of this Ordinance shall also be construed to create a trust in the county economic development income tax revenues of the County herein directed to be set apart and paid into the Sinking Fund for purposes of said fund as in this Ordinance set forth.

The provisions of this Ordinance shall constitute a contract by and between the County and the owners of the Bonds. After the issuance of the Bonds, the County shall not, except as specifically provided herein, repeal, amend, or impair in any respect which would materially adversely affect the rights of the owners of the Bonds, (i) this Ordinance, (ii) the definition of, the manner of collecting and distributing, or the pledge of the County's economic development income tax revenues, or (iii) the lien created by this Ordinance. The County shall not adopt any law, resolution, order or ordinance which in any way materially adversely affects the rights of such owners so long as the principal of or interest on any Bonds remains unpaid.

SECTION 11. (a) The County Council covenants that the County Council will not reduce the county economic development income tax rate below a rate that would produce county economic development income tax revenues for the County of at least two (2) times the highest annual debt

service on the Bonds to their final maturity based on an average of the immediately preceding three years of county economic development income tax collections.

(b) Notwithstanding subsection (a), the County Council shall not be required by the covenants set forth in this Section 11 to impose a county economic development income tax rate exceeding the maximum rate permitted by law.

SECTION 12. To the extent necessary to preserve the exclusion from gross income under federal law of interest on the Bonds, and as an inducement to the Purchaser of the Bonds, the County represents, covenants and agrees that:

(a) No Bond proceeds will be loaned to any entity or person. No Bond proceeds will be transferred directly, or indirectly transferred or deemed transferred to a person other than a governmental unit in a fashion that would in substance constitute a loan of said Bond proceeds;

(b) The County will not take any action or fail to take any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal tax purposes of interest on the Bonds pursuant to Section 103(a) of the Code, nor will the County act in any manner that would adversely affect such exclusion. The County further covenants that it will not make any investment or do any other act or thing during the period that any Bond is outstanding hereunder that would cause any Bond to be an "arbitrage bond" within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the Bonds. The County shall comply with the arbitrage rebate requirements under Section 148 of the Code to the extent applicable; and

(c) All officials, officers, members, employees and agents of the County are authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the County as of the date the Bonds are issued, to enter into covenants on behalf of the County evidencing the commitments made herein and to do all such other acts necessary or appropriate to carry out this Ordinance, including preparation of and execution of preliminary and final official statements describing the Bonds and matters related thereto. In particular, all or any officials, officers, members, employees and agents of the County are authorized to certify and/or enter into covenants for the County regarding the facts and circumstances and reasonable expectations of the County on the date the Bonds are issued and the commitments made by the County herein regarding the amount and use of the proceeds of the Bonds.

SECTION 13. Notwithstanding any other provisions of this Ordinance, the covenants and authorizations contained in this Ordinance ("Tax Sections") which are designed to preserve the exclusion of interest on the Bonds from gross income under federal law ("Tax Exemption") need not be complied with if the County receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

SECTION 14. If, when the Bonds or a portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption, or irrevocable instructions to call the Bonds or a portion thereof shall have been given, and the whole amount of the principal of and premium, if any, and interest so due and payable upon all of the Bonds or a portion thereof then outstanding shall be paid or (i) sufficient money or (ii) direct obligations of, or

obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, and provision shall also have been made for paying all fees and expenses in connection with the redemption, then and in that case the Bonds or such portion thereof issued hereunder shall no longer be deemed outstanding or an indebtedness of the County.

SECTION 15. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 16. 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 17. If the date for making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or a day on which banking institutions in the city in which the Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal date.

SECTION 18. The County may, from time to time and at any time, without the consent of, or notice to, any of the owners of the Bonds, adopt a supplemental ordinance for any one or more of the following purposes:

(a) To cure any ambiguity or formal defect or omission in this Ordinance or in any supplemental ordinance;

(b) To grant to or confer upon the owners of the Bonds any additional benefits, rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the Bonds, or to make any change which, in the judgment of the County, is not to the prejudice of the owners of the Bonds;

(c) To modify, amend or supplement this Ordinance to permit the qualification of the Bonds for sale under the securities laws of the United States of America or of any of the states of the United States of America;

(d) To provide for the refunding or advance refunding of the Bonds;

(e) To procure a rating on the Bonds from a nationally recognized securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the Bonds;

(f) To make changes to reflect the issuance of Parity Obligations in accordance with Section 22; or

(g) Any other purpose which in the judgment of the County does not adversely impact the interests of the owners of the Bonds.

SECTION 19. This Ordinance, and the rights and obligations of the County and the owners of the Bonds may be modified or amended at any time by supplemental ordinances adopted by the County with the consent of the owners of the Bonds holding at least sixty percent (60%) in aggregate principal amount of the Outstanding Bonds (exclusive of Bonds, if any, owned by the County); provided, however, that no such modification or amendment shall, without the express consent of all

of the owners of the Bonds affected, reduce the principal amount of any Bond, reduce the interest rate payable thereon, advance the earliest redemption date, extend its maturity or the times for paying interest thereon, permit a privilege or priority of any Bond or Bonds over any other Bond or Bonds, create a lien securing any Bonds other than a lien ratably securing all of the Bonds outstanding, or change the monetary medium in which principal and interest is payable, nor shall any such modification or amendment reduce the percentage of consent required for amendment or modification.

Any act done pursuant to a modification or amendment so consented to shall be binding upon all the owners of the Bonds and shall not be deemed an infringement of any of the provisions of this Ordinance, and may be done and performed as fully and freely as if expressly permitted by the terms of this Ordinance, and after such consent relating to such specified matters has been given, no owner shall have any right or interest to object to such action or in any manner to question the propriety thereof or to enjoin or restrain the County or any officer thereof from taking any action pursuant thereto.

If the County shall desire to obtain any such consent, it shall cause the Registrar to mail a notice, postage prepaid, to the respective owners of the Bonds at their addresses appearing on the Bond Register. Such notice shall briefly set forth the nature of the proposed supplemental ordinance and shall state that a copy thereof is on file at the office of the Registrar for inspection by all owners of the Bonds. The Registrar shall not, however, be subject to any liability to any owners of the Bonds by reason of its failure to mail the notice described in this Section 19, and any such failure shall not affect the validity of such supplemental ordinance when consented to and approved as provided in this Section 19.

Whenever, at any time within one year after the date of the mailing of such notice, the County shall receive an instrument or instruments purporting to be executed by the owners of the Bonds of not less than sixty percent (60%) in aggregate principal amount of the Bonds then outstanding (exclusive of Bonds, if any, owned by the County), which instrument or instruments shall refer to the proposed supplemental ordinance described in such notice, and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice as on file with the Registrar, thereupon, but not otherwise, the Council may adopt such supplemental ordinance in substantially such form, without liability or responsibility to any owners of the Bonds, whether or not such owner shall have consented thereto.

Upon the adoption of any supplemental ordinance pursuant to the provisions of this Section 19, this Ordinance shall be, and is deemed to be, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance shall thereafter be determined, exercised and enforced hereunder, subject in all respects to such modifications and amendments.

SECTION 20. All of the county economic development income tax revenues of the County paid into the Sinking Fund shall be and are hereby irrevocably pledged to the payment of the principal of and premium, if any, and interest on the Bonds.

SECTION 21. The County reserves the right to authorize and issue additional bonds, payable out of its county economic development income tax revenues or otherwise pledge its county economic development income tax revenues to secure lease rental payments or other obligations, ranking on a parity with the Bonds (such bonds, lease rental payments or other obligations, "Parity Obligations"). In the event any Parity Obligations are issued pursuant to this Section 21, the term "Bonds" in this Ordinance shall, unless the context otherwise requires, be deemed to refer to the

Bonds and such Parity Obligations and other changes may be made herein as required to reflect the issuance of such Parity Obligations. Subject to the prior satisfaction of all of the terms of this Section 21, applicable to Parity Obligations generally, the future issuance of additional Parity Obligations is hereby authorized upon the adoption by the Council of an ordinance or ordinances supplemental hereto, which Parity Obligations shall have the same terms and be subject to the same provisions as set forth herein, except as otherwise provided by such supplemental ordinance. The authorization and issuance of Parity Obligations shall be subject to the following conditions precedent:

(a) Any such Parity Obligations shall not cause the County to exceed its debt limitation under Article 13, Section 1, of the Indiana Constitution as of the date of issuance.

(b) All interest and principal payments with respect to all Parity Obligations payable from amounts that the County receives from county economic development income tax revenues shall have been paid in accordance with their terms.

(c) All required deposits into the Bond Principal and Interest Account and the Reserve Account shall have been made in accordance with the provisions of this Ordinance.

(d) Either: (1) the county economic development income tax revenues of the County in the fiscal year immediately preceding the issuance of any such bonds ranking on a parity with the Bonds shall be not less than one hundred fifty percent (150%) of the maximum annual interest and principal requirements of the then outstanding Bonds and the additional Parity Obligations proposed to be issued; or (2)

the county economic development income tax revenues of the County for the first full fiscal year immediately succeeding the issuance of any such Parity Obligations ranking on a parity with the Bonds shall be projected by a certified public accountant to be at least equal to one hundred fifty percent (150%) of the maximum annual interest and principal requirements of the then outstanding Bonds and the additional Parity Obligations proposed to be issued.

For purposes of this subsection, the records of the County shall be analyzed and all showings prepared by a certified public accountant or independent financial advisor employed by the County for that purpose.

(e) The interest on the additional Parity Obligations shall be payable semiannually on the first days of January and July in the years in which interest is payable and the principal of the additional Parity Obligations shall be payable semiannually on the first days of January and July in the years in which principal is payable.

(f) The issuance of the additional Parity Obligations will not result in a violation of IC 6-3.5-7-14 relating to the minimum rate at which the Council is required to maintain the county economic development income tax.

Except as otherwise provided in this Section, so long as any of the Bonds are outstanding, no additional bonds or other obligations pledging any portion of the county economic development income tax revenues of the County shall be authorized, executed or issued by the County except such as shall be made subordinate and junior in all respects to the Bonds, unless all of the Bonds are redeemed and retired coincidentally with the delivery of such additional bonds or other obligations,

or as provided in Section 14 hereof, funds sufficient to effect such redemption are available and set aside for that purpose at the time of issuance of such additional bonds or other obligations.

SECTION 22. The appropriate officers of the County are hereby authorized to take all actions required to obtain a rating and/or municipal bond insurance for the Bonds, if economically feasible and desirable.

SECTION 23. The proceeds derived from the sale of the Bonds and all investment earnings thereon shall be and the same hereby are appropriated to provide for the Refunding. Such appropriation shall be in addition to all appropriations provided for in the existing budget and levy, and shall continue in effect until the expenditure of all such appropriated funds on costs of the Refunding. Any surplus of such proceeds shall be credited to the proper fund as required by law. A certified copy of this Ordinance, together with such other pleadings and actions as may be necessary, shall be filed by the Hendricks County Auditor with the Indiana State Board of Tax Commissioners.

SECTION 24. Each officer of the County is hereby authorized and directed, for and on behalf of the County, to execute and deliver an escrow agreement (the "Escrow Agreement") with the National City Bank (the "Escrow Agent") to effect the Refunding.

SECTION 25. Each officer of the County is hereby authorized and directed, for and on behalf of the County, to prepare a Preliminary Official Statement for the Bonds (the "Preliminary Official Statement") and, in accordance with Rule 15c2-12 of the United Securities and Exchange Commission, as amended (the "SEC Rule"), to deem the Preliminary Official Statement final as of its date, except for the omission of the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates,

ratings and other terms of the securities depending on such matters, and the identity of the underwriter(s). Each officer of the County is hereby authorized and directed, for and on behalf of the County, to execute and deliver an Official Statement for the Bonds (the "Official Statement"). The distribution of the Preliminary Official Statement and the Official Statement to prospective purchasers of the Bonds is hereby authorized and approved.

SECTION 26. In order to assist the Purchaser of the Bonds in complying with paragraph (b)(5) of the SEC Rule by undertaking to make available appropriate disclosure about the County and the Bonds to participants in the municipal securities market, the County hereby covenants, agrees and undertakes, in accordance with the SEC Rule, unless excluded from the applicability of the SEC Rule or otherwise exempted from the provisions of paragraph (b)(5) of the SEC Rule, that it will comply with and carry out all of the provisions of the continuing disclosure contract. "Continuing disclosure contract" shall mean that certain continuing disclosure contract executed by the County and dated the date of issuance of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof. The execution and delivery by the County of the continuing disclosure contract, and the performance by the County of its obligations thereunder by or through any employee or agent of the County, are hereby approved, and the County shall comply with and carry out the terms thereof.

SECTION 27. Each officer of the County is hereby authorized and directed, for and on behalf of the County, to execute and deliver any agreement, contract or other instrument or take any other action that such officer determines to be necessary or advisable to consummate the transactions anticipated by this Ordinance, such determination to be conclusively evidenced by such officer's

having executed and delivered such agreement, contract or other instrument or having taken such other action.

SECTION 28. This Ordinance shall be in full force and effect from and upon compliance with the procedures required by law.

The foregoing was passed by the Hendricks County Council this 8th day of September, 1998.

HENDRICKS COUNTY COUNCIL

Jaun R. Hesson
H. Kent Palmer

J. Wend H. Hesson
Richard M. Witz

Tom T. Hesson

(Seal)

ATTEST:

Dennis Simpson
Auditor of Hendricks County, Indiana

27 March 2

RECEIVED
FEB 20 1998
HENDRICKS COUNTY
COMMISSIONERS

Hendricks County
Danville, Indiana

RESOLUTION NO. 98- 01
March 2, 1998

**RESOLUTION ACCEPTING TRANSFER OF OWNERSHIP OF BOAT AND TRAILER OF
BROWNSBURG FIRE TERRITORY TO EMERGENCY MANAGEMENT OF HENDRICKS COUNTY**

WHEREAS, Emergency Management of Hendricks County is the recipient of the transfer of said boat, and

WHEREAS, Brownsburg Fire Territory ("Territory") currently owns a boat and trailer hereinafter referred to as "boat", and

WHEREAS, Boat is surplus property to the Territory and the desire to transfer ownership of said property; and

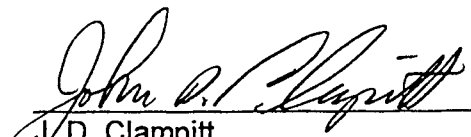
WHEREAS, The Emergency Management through Hendricks County Commissioners desires to obtain ownership of the boat; and

WHEREAS, such a transfer between government entities is authorized by Indiana Code, Section 36-1-11-8 providing that substantially identical resolutions are passed by each entity; and

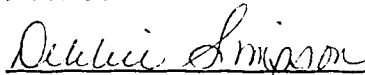
WHEREAS, The Territory desires that the items be transferred subject to specific terms and conditions as set forth below;

NOW THEREFORE, BE IT RESOLVED by the Hendricks County Commissioners that the Emergency Management Director is hereby authorized to receive ownership of said items from the Territory by the Brownsburg Fire Chief upon the following terms and conditions:

1. Territory agrees to transfer ownership of boat "AS IS CONDITION".


J. D. Clampitt
President

ATTEST:


Debbie Simpson
Hendricks County Auditor

Brownsburg, Indiana

RESOLUTION NO. 98-52/26, 1998**RESOLUTION ACCEPTING TRANSFER OF OWNERSHIP OF BOAT AND TRAILER OF
BROWNSBURG FIRE TERRITORY TO EMERGENCY MANAGEMENT OF HENDRICKS COUNTY**

WHEREAS, Brownsburg Fire Territory ("Territory") currently owns an boat and trailer hereinafter referred to as "boat", and

WHEREAS, Emergency Management of Hendricks County is the recipient of the transfer of said boat, and

WHEREAS, Boat is surplus property to the Territory and the desire to transfer ownership of said property; and

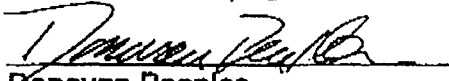
WHEREAS, The Emergency Management through Hendricks County Commissioners desires to obtain ownership of the boat; and

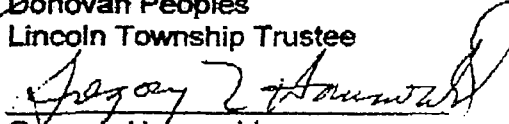
WHEREAS, such a transfer between government entities is authorized by Indiana Code, Section 36-1-11-8 providing that substantially identical resolutions are passed by each entity; and


WHEREAS, The Territory desires that the items be transferred subject to specific terms and conditions as set forth below;

NOW THEREFORE, BE IT RESOLVED by the Territory that the Brownsburg Fire Chief is hereby authorized to transfer ownership of said items to Emergency Management of Hendricks County upon the following terms and conditions:

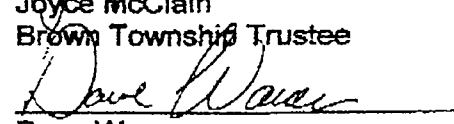
1. Territory agrees to transfer ownership of boat "AS IS CONDITION".


Donovan Peoples
Lincoln Township Trustee

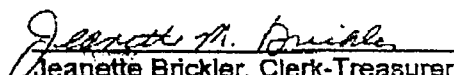

Gregory Hauswald
Secretary


Jim Yaryan
Town Council President


Joyce McClain
Brown Township Trustee


Dave Warren
Secretary

ATTEST:


Jeanette Brickler, Clerk-Treasurer

RESOLUTION OF HENDRICKS COUNTY

1998-2

WHEREAS, the Board of County Commissioners ("Commissioners") of Hendricks County ("County") finds the following:

1. On March 22, 1994, the County executed and delivered its First Mortgage Bonds, Series 1994 ("Bonds"), in the aggregate principal amount of \$8,935,000, of which \$ 8,310,000 is now outstanding.
2. The Commissioners has been advised that refunding certain maturities of the Bonds through the issuance by the County of its First Mortgage Refunding Bonds, Series 1998 ("Refunding Bonds"), will create a substantial savings and generate cash for the County.

NOW THEREFORE, BE IT RESOLVED by the Commissioners as follows:

1. The issuance by the County of its First Mortgage Refunding Bonds, Series 1998 ("Refunding Bonds"), for the purpose of refunding certain or all maturities of the Bonds in order to create substantial savings and to generate cash for the County is hereby authorized and approved.
2. The Supplemental Indenture between the County and Fifth Third Bank of Central Indiana, as Trustee, is hereby approved, and any officers of the County are hereby authorized to execute such Indenture.
3. The use of the proceeds of the Refunding Bonds to refund certain or all maturities of the Bond is hereby authorized and approved.
4. Roney & Co. is hereby employed to direct the refunding and to underwrite the Refunding Bonds, and Bose McKinney & Evans is employed as Bond Counsel.
5. The President of the Board is hereby authorized, on behalf of the Board and the County, to take any and all actions and execute any and all documents necessary to permit (i) the amendment and assignment of the Lease originally dated JANUARY 10, 1994 as amended and supplemented; (ii) the refunding of the Bonds; and (iii) the issuance of the Refunding Bonds; and the distribution of a Preliminary Official Statement and an Official Statement with respect to the Refunding Bonds, approval of the Official Statement to be evidenced by the execution thereof. All such actions and approvals may be taken or given without further action from this Commissioners.

175140v1

P.2

FEB 27 1998 03:06PM BOSE MCKINNEY & EVANS

APPROVED this March 2 day of February, 1998.

John P. Clarysitt
COMMISSIONER, President

Dennie Simpson
COUNTY AUDITOR, Secretary

175140v1

P.3

FEB 27 '98 03:06PM BOSE MCKINNEY & EVAN

CONSENT FOR FRANCHISE TRANSFER
RESOLUTION NO. 1998-3

A RESOLUTION OF THE HENDRICKS COUNTY COMMISSIONERS, STATE OF INDIANA, CONSENTING TO THE ASSIGNMENT OF THE CABLE TELEVISION FRANCHISE FROM PHOENIX CONCEPT CABLEVISION OF INDIANA, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY TO TELEPARTNERS L.L.C., AN IOWA LIMITED LIABILITY COMPANY, AND/OR ONE OF ITS WHOLLY OWNED SUBSIDIARIES.

WHEREAS, on December 8, 1997, the Hendricks County Commissioners (the "Grantor") granted to Phoenix Concept Cablevision of Indiana, L.L.C., a Delaware limited liability company ("Assignor"), a franchise as set forth in that certain Ordinance No. 1970-40 dated as of December 8, 1997, to construct and operate a community antenna television and closed circuit electronic system within and through the unincorporated areas in Hendricks County, Indiana (the "Franchise");

WHEREAS, Assignor has executed an assignment of cable television franchise (the "Assignment") whereby Assignor has assigned, transferred and conveyed all right, title and interest of Assignor in the Franchise pertaining to the cable television system (the "System") to TelePartners L.L.C., an Iowa limited liability company, and/or one of its wholly owned subsidiaries ("Assignee");

NOW THEREFORE, BE IT RESOLVED BY THE HENDRICKS COUNTY COMMISSIONERS, STATE OF INDIANA, AS FOLLOWS:

Section 1. Grantor hereby consents to and approves the assignment by Assignor of its right, title and interest in the Franchise to Assignee and assumption by Assignee of the obligations of Assignor under the Franchise, subject to applicable law, which accrue from and after the date of closing of the transfer of the System to Assignee.

Section 2. Grantor confirms that (a) the Franchise is currently in full force and effect and expires December 8, 2012; (b) Assignor is strictly in compliance with the provisions of the Franchise; and (c) there exists no known fact nor circumstance which constitutes or which, with the passage of time or the giving of notice or both, would constitute a default or breach under the Franchise, or would allow Grantor to cancel or terminate the rights thereunder except upon the expiration of the full term thereof.

Section 3. Assignee may transfer the Franchise or control related thereto to any entity controlling, controlled by, or under common control with Assignee upon notice to Grantor of any such transfer to an affiliated entity.

Section 4. Grantor approves the assignment, mortgage, pledge, or other encumbrance of the Franchise or assets of Assignee as collateral for a loan.

Section 5. This Resolution shall not become effective until the System has been transferred to Assignee and Assignee assumes the obligations of Assignor under the License.

PASSED, ADOPTED AND APPROVED by THE HENDRICKS COUNTY COMMISSIONERS, STATE OF INDIANA, this 11 day of May, 1998.

ATTEST:

APPROVED AS TO FORM:

HENDRICKS COUNTY
COMMISSIONERS

Dennis Simpson

John A. Plazitt
John A. Haum
David G. Ladd

Dated this ____ day of _____, 1998

ASSIGNEE

TELEPARTNERS L.L.C., an Iowa limited liability company

By: _____
Kenneth D. Anderson
Chairman

a:\newpth\cff2res.doc

LA1.132323.1

RESOLUTION No.: 1998- 4

**A RESOLUTION CONCERNING PURCHASING
PRACTICES FOR HENDRICKS COUNTY, INDIANA**

WHEREAS, I.C. 5-22-1-1, et.seq. (the "Act") applies to every expenditure of public funds by a political subdivision for public purchase of supplies and services as defined by I.C. 5-22-2-38 and I.C. 5-22-2-30; and

WHEREAS, Hendricks County, Indiana is a political subdivision within the meaning of the Act; and

WHEREAS, the Hendricks County Board of Commissioners is the legislative governmental body of Hendricks County, Indiana; and

WHEREAS, it is necessary that the governmental body adopt certain rules and procedures to bring Hendricks County, Indiana into compliance with the provisions and requirements of the Act.

NOW. THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA, as follows:

Section 1. Designation of Purchasing Agency. The Hendricks County Board of Commissioners is hereby designated as the "Purchasing Agent" for all boards, offices, commissions, councils, departments or other establishments of Hendricks County, Indiana.

- (a) A purchasing agent shall be the Hendricks County Engineer's office for purchases of One Thousand Five Hundred Dollars (\$1,500) or less for regular maintenance, emergency or other items purchased in the normal course of business.

Section 2. Powers of the Purchasing Agency. The Purchasing Agency designated in Section 1 of this Ordinance shall:

- (a) Assume the duties, powers and responsibilities assigned to the Purchasing Agencies under the Act.

- (b) Establish procedures, not inconsistent with the Act or this Ordinance, for obtaining supplies or services in a manner which will obtain the greatest economic value for Hendricks County.
- (c) Prepare specifications and notice to bidders and ascertain that required notices are published where bidding and publication of notices are required by law.
- (d) Designate in writing a "Purchasing Agent" to carry out the purposes of this Ordinance. Such Purchasing Agent shall act as the agent for the Purchasing Agency in the administration of the duties of the Purchasing Agency under the Act. The Purchasing Agent may not make purchase except as provided in Section 3(c) below.
- (e) Designate in writing such "Limited Purchasing Agents" as the Purchasing Agency deems appropriate and define in writing the limitations of their authority consistent with Section 3(d) below.

Section 3. Small Purchase Procedures.

- (a) A "small purchase" is a purchase of supplies with an estimated cost of less than Twenty-Five Thousand Dollars (\$25,000.00).
- (b) The Purchasing Agency may make a small purchase on the open market without inviting or receiving quotes or bids.
- (c) A Purchasing Agent is authorized to purchase supplies with an estimated cost of less than Five Thousand Dollars (\$5,000) on the open market without inviting or receiving quotes or bids.
- (d) A Limited Purchasing Agent is authorized to purchase supplies with an estimated cost of One Thousand Dollars (\$1,000) on the open market without inviting or receiving quotes or bids.

Section 4. Preference for Supplies Manufactured in the United States.

Supplies manufactured in the United States shall be specified for all purchases by the Purchasing Agent and shall be purchased unless the Purchase Agent determines in writing that:

- (a) The supplies are not manufactured in the United States in reasonably available quantities;

- (b) The price of supplies manufactured in the United States exceeds by an unreasonable amount the price of available and comparable supplies manufactured elsewhere;
- (c) The quality of the supplies manufactured in the United States is substantially less than quality of comparably priced available supplies manufactured elsewhere; or
- (d) The purchase of supplies manufactured in the United States is not in the public interest.


Section 5. Purchase of Services. As used in this Section, the term "services" means the furnishing of labor, time, or effort by a person, not involving the delivery of specific supplies other than printed documents or other items that are merely incidental to the required performance, including (but not limited to) legal, medical, architectural, accounting, engineering, appraisal and insurance services. The Purchasing Agency may purchase services in whatever manner the Purchasing Agency determines to be reasonable and appropriate.

Section 6. Repeal of Inconsistent Ordinance Provisions. All other Ordinances or parts of Ordinance in conflict with the provisions set out in this Ordinance are hereby repealed.

Section 7. Effective Date. This Resolution shall be effective as of July 1, 1998.

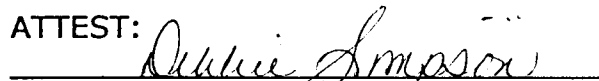
Done this 6 day of ^{July}~~June~~, 1998.

HENDRICKS COUNTY BOARD
OF COMMISSIONERS


John D. Clampitt, President


John "Bud" Daum, Member


David Underhill, Member

ATTEST: 
Debbie Simpson, Auditor

1998-6

**RESOLUTION BY THE BOARD OF COMMISSIONERS
OF HENDRICKS COUNTY, INDIANA**

WHEREAS, the legislature of the State of Indiana granted certain powers to boards of county commissioners for the establishment of an area planning commission within their jurisdiction pursuant to IC 36-7-4-200, as amended; and

WHEREAS, the Board of County Commissioners of Hendricks County established an advisory plan commission in 1951 entitled the "Hendricks County Plan Commission"; and

WHEREAS, the Board of County Commissioners established an area plan commission on February 1, 1995, entitled "Hendricks County Area Plan Commission"; and

WHEREAS, the legislature of the State of Indiana granted certain powers to boards of county commissioners and area planning commissions pertaining to the adoption of a comprehensive plan within their jurisdiction pursuant to IC 36-7-4-500, as amended; and

WHEREAS, the Hendricks County Area Plan Commission, with the assistance of the Citizens Advisory Committee, has prepared a comprehensive plan in accordance with the provisions of IC 36-7-4-500, as amended; and

WHEREAS, the Hendricks County Area Plan Commission held a public hearing on June 23, 1998, after giving public notice in accordance with the provisions of IC 5-3-1; and

WHEREAS, the Hendricks County Area Plan Commission has considered the comments made during the public hearing and has deliberated on the planning proposals contained in the prepared comprehensive plan entitled "Hendricks County Comprehensive Plan 1998"; and

WHEREAS, the Hendricks County Area Plan Commission has approved the Hendricks County Comprehensive Plan 1998 and has, by resolution, recommended the adoption of said plan to the Board of County Commissioners of Hendricks County; and

WHEREAS, the proposed Hendricks County Comprehensive Plan contains goals and objectives for the orderly development of Hendricks County and establishes policy for Hendricks County Government regarding the development of Hendricks County; and

WHEREAS, the recommended Comprehensive Plan establishes objectives for revisions to the Hendricks County Zoning and Subdivision Control Ordinances which are the ordinances that are used to implement the policies of the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners of Hendricks County found that the current ordinances should remain in effect until revision of said ordinances in accordance with the schedule outlined in the Comprehensive Plan.

NOW THEREFORE, in order to promote the public health, safety, morals, convenience, order and the general welfare and for the sake of efficiency and economy in the process of developing Hendricks County, the Board of County Commissioners of Hendricks County, Indiana finds that the comprehensive plan entitled "Hendricks County Comprehensive Plan 1998", attached hereto and made a part thereof, be in full force and effect after this date.

Passed and approved by the Board of County Commissioners of Hendricks County, Indiana, this 13TH day of JULY, 1998.

BOARD OF COMMISSIONERS

John D. Clampitt, President

John A. Daum
John A. Daum, Vice President

David E. Underhill
David E. Underhill, Member

Attest:

Debbie Simpson
Debbie Simpson, Auditor

1998-7

**REFUNDING RESOLUTION
OF THE HENDRICKS COUNTY COMMISSIONERS**

WHEREAS, Hendricks County ("County") issued \$8,350,000 of Economic Development Income Tax Revenue Bonds, Series 1992 A in February 1992 to help finance the United Airline Maintenance Facility.

WHEREAS, it is in the best interests of the County to authorize Roney & Co. (the "Underwriter"), and Barnes & Thornburg, (the "Bond Counsel"), to take all steps necessary to prepare an advance refunding of the Economic Development Income Tax Revenue Bonds, Series 1992 A, and negotiate the terms of a sale of refunding bonds which will result in a significant net savings for the County.

NOW, THEREFORE, BE IT RESOLVED, that the County hereby approves the advance refunding and directs the Underwriter to effect the refunding in order to realize a significant net savings for the County.

BE IT FURTHER RESOLVED, that Roney & Co. and Barnes & Thornburg be, and are hereby employed, to accomplish the refunding.

BE IT FURTHER RESOLVED, that the Hendricks County Commissioners have the full and complete authority to approve and execute any and all other documents and take any and all other actions necessary to accomplish this refunding, and to approve and authorize the distribution of an Official Statement with respect to the refunding bonds to be issued by the County all without further action from this Board.

BE IT FURTHER RESOLVED, that this resolution, and all provisions hereof, shall remain in full force and effect for a period of one year from the date hereof.

ADOPTED this 24th day of August, 1998, by a vote of:

2 Aye

0 Nay

John D. Clapsitt
HENDRICKS CO. COMMISSIONER President

Daniel Simpson
HENDRICKS CO. AUDITOR, Secretary

COUNTY COMMISSIONERS' RESOLUTION NO. 1998- 8

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA, RELATING TO THE ISSUANCE AND SALE OF COUNTY ECONOMIC DEVELOPMENT INCOME TAX REFUNDING REVENUE BONDS OF THE COUNTY, PAYABLE SOLELY FROM COUNTY ECONOMIC DEVELOPMENT INCOME TAX REVENUES TO BE RECEIVED BY THE COUNTY, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000) FOR THE PURPOSE OF FINANCING COSTS OF A PROPOSED REFUNDING OF CERTAIN BONDS ISSUED BY THE COUNTY, AND TAKING OTHER ACTIONS RELATED THERETO.

WHEREAS, the Hendricks County Council (the "County Council") has imposed the county economic development income tax on the county taxpayers of Hendricks County, Indiana (the "County"), pursuant to IC 6-3.5-7-5; and

WHEREAS, on January 6, 1992, this Board adopted a capital improvement plan (the "Plan") pursuant to IC 6-3.5-7-15 specifying the uses of the revenues to be received by the County under IC 6-3.5-7; and

WHEREAS, the Plan sets forth the County's intention to use a portion of the reveques to be received under 6-3.5-7 for, among other projects, an economic development project consisting of the construction of a major aircraft maintenance facility for United Air Lines at Indianapolis International Airport or for the retirement of bonds issued under IC 6-3.5-7-14 to finance such project (the "Economic Development Project"); and

WHEREAS, on February 18, 1992, the County issued its Hendricks County, Indiana, Economic Development Income Tax Revenue Bonds, Series 1992A (the "1992 Bonds"), in the aggregate principal amount of Eight Million Three Hundred Fifty Thousand Dollars (\$8,350,000), to finance the Economic Development Project, pursuant to Ordinance No. 1992-8 adopted by the County Council on February 4, 1992 (the "1992 Ordinance"); and

WHEREAS, on the date hereof, Five Million Six Hundred Thirty-Five Thousand Dollars (\$5,635,000) aggregate principal amount of the 1992 Bonds remain outstanding (the "Outstanding 1992 Bonds"); and

WHEREAS, IC 5-1-5 authorizes the governing body of any issuing body to provide for the issuance of bonds to refund outstanding bonds issued by such issuing body to effect a saving to the issuing body or to modify restrictive covenants in outstanding bonds impeding additional financing; and

WHEREAS, the issuance of the Bonds (as hereinafter defined) will effect a saving to the County; and

WHEREAS, the 1992 Ordinance contains restrictive covenants pursuant to which the County is required to fund a debt service reserve account from county economic development income tax reserves, which covenants impede the County's use of county economic development income tax revenues to finance additional economic development projects; and

WHEREAS, the issuance of the Bonds will modify such covenants by either eliminating any requirement to fund a debt service reserve account or permitting satisfaction of such requirement with a surety bond, insurance policy, guaranty letter of credit or other credit facility, thereby permitting the County's use of county economic development income tax revenues to finance additional economic development projects;

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

Section 1. Subject to approval and proper action by the County Council, county economic development income tax refunding revenue bonds of the County, payable solely from county economic development income tax revenues of the County, shall be issued in the aggregate principal

amount not to exceed Six Million Dollars (\$6,000,000) (the "Bonds"). This Board hereby recommends to the County Council that the Bonds be issued as soon as can be done, and that the proceeds of the Bonds (together with all investment earnings thereon) be appropriated for the refunding all of the Outstanding 1992 Bonds (the "Refunded Bonds"), including the payment of any and all redemption premiums on the Refunded Bonds and the payment of any and all expenses in connection with such refunding and the issuance of the Bonds (such refunding, including such payments, the "Refunding"). The Refunded Bonds shall be paid when due at maturity or redeemed on January 1, 2002. The Bonds shall bear interest payable semiannually commencing January 1, 1999, and each January 1 and July 1 thereafter at a rate or rates not to exceed six percent (6%) per annum (the exact rate or rates to be determined by negotiation). The Bonds shall mature (or, with respect to any term Bonds, be subject to mandatory sinking fund redemption) on January 1 and July 1 in each year, on the dates and in the amounts as shall be determined by this Board at the time of the sale of the Bonds; provided, however, that the last maturity of the Bonds shall be no later than January 1, 2007. The Bonds shall be redeemable, shall be in the form, shall be in the denominations and shall be payable at the places, all as provided in the attached ordinance. This Board hereby recommends to the County Council that it adopt the proposed form of ordinance, and the terms and conditions of the Bonds as set out in the attached ordinance are hereby approved, ratified, confirmed and adopted, subject to such changes as may be made by the County Council.

Section 2. The Auditor is hereby directed to present the attached form of ordinance, the attached Request for Issuance of Bonds and a copy of this resolution to the County Council at the next County Council meeting, thereby requesting the issuance of said revenue bonds.

Section 3. Two copies the attached form of ordinance and the attached Request for Issuance of Bonds are on file in the office of the Hendricks County Auditor for public inspection.

Section 4. This resolution shall be in full force and effect from and upon compliance with the procedures required by law.

The foregoing was passed by the Board of Commissioners of Hendricks County this 8th day of September 1998.

THE BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY

By: John A. Claycomb
President

By: John A. Warren
Commissioner

By: David L. Hill
Commissioner

(SEAL)

ATTEST:

By: Debra Simpson
Auditor of Hendricks County, Indiana

**REQUEST OF THE BOARD OF
COMMISSIONERS OF HENDRICKS COUNTY
REGARDING ISSUANCE OF COUNTY ECONOMIC
DEVELOPMENT INCOME TAX REFUNDING REVENUE BONDS**

TO: The Auditor of Hendricks County and
 The Hendricks County Council

The Board of Commissioners of Hendricks County (the "Board") adopted a Capital Improvement Plan (the "Plan") on January 6, 1992. The Plan specifies, among other projects, a proposed economic development project of Hendricks County relating to the construction and equipping of a major aircraft maintenance facility for United Air Lines at Indianapolis International Airport (the "United Project").

On February 18, 1992, Hendricks County (the "County") issued its Hendricks County, Indiana, Economic Development Income Tax Revenue Bonds, Series 1992A (the "1992 Bonds"), in the aggregate principal amount of Eight Million Three Hundred Fifty Thousand Dollars (\$8,350,000), to finance the United Project, pursuant to Ordinance No. 1992-8 adopted by the County Council of the County (the "Council") on February 4, 1992 (the "1992 Ordinance"). On the date hereof, Five Million Six Hundred Thirty-Five Dollars (\$5,635,000) aggregate principal amount of the 1992 Bonds remain outstanding (the "Outstanding 1992 Bonds").

Indiana Code 5-1-5 authorizes the governing body of any issuing body to provide for the issuance of bonds to refund outstanding bonds issued by such issuing body to effect a saving to the issuing body or to modify restrictive covenants in outstanding bonds impeding additional financing.

The issuance of the Bonds (as hereinafter defined) will effect a saving to the County.

The 1992 Ordinance contains restrictive covenants pursuant to which the County is required to fund a debt service reserve account from county economic development income tax reserves,

which covenants impede the County's use of county economic development income tax revenues to finance additional economic development projects.

The issuance of the Bonds will modify such covenants by either eliminating any requirement to fund a debt service reserve account or permitting satisfaction of such requirement with a surety bond, insurance policy, guaranty, letter of credit or other credit facility, thereby permitting the County's use of county economic development income tax revenues to finance additional economic development projects.

Subject to proper action by the Council, the Board has approved the issuance of county economic development income tax refunding revenue bonds of the County in the aggregate principal amount not to exceed Six Million Dollars (\$6,000,000) to provide funds for the refunding of all the Outstanding 1992 Bonds (the "Refunded Bonds"), including the payment of any and all redemption premiums on the Refunded Bonds and the payment of any and all expenses in connection with such refunding and the issuance of such bonds (such refunding, including such payments, the "Refunding"), and recommends that such bonds be authorized by the Council.

The Board hereby requests that the Council authorize the issuance of county economic development income tax refunding revenue bonds of the County in the aggregate principal amount not to exceed Six Million Dollars (\$6,000,000) (the "Bonds") and appropriate the proceeds of such Bonds (together with all investment earnings thereon) for the cost of the Refunding.

Dated this 8th day of September 1998.

THE BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY

By: John C. Paynter
President

By: John A. Danner
Commissioner

By: David C. Whitely
Commissioner

(Seal)

ATTEST:

Debbie Simpson
Auditor of Hendricks County, Indiana

AMENDMENT TO
CONFIRMING RESOLUTION NO. 95-6

WHEREAS, the Hendricks County Council has previously designated and declared by Confirming Resolution No. 95-6 certain property owned by Liberty Water Corporation as an "Economic Revitalization Area" under I.C. 6-1.1-12.1; and

WHEREAS, Section 2 of said Confirming Resolution states that the designation of "Economic Revitalization Area" commenced July 5, 1995, continue for a period of three (3) years and thereafter terminate; and

WHEREAS, Section 6 of said Confirming Resolution states that "the deduction from the assessed value of the real property shall be for a period of ten (10) years, and that the deduction from the assessed value of the new manufacturing equipment shall be for a period of ten (10) years"; and

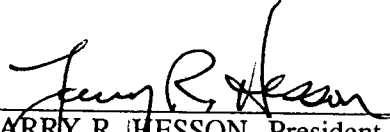
WHEREAS, this Amendment to said Confirming Resolution is for the purpose of clarifying the contradictory terms of said Confirming Resolution previously described herein.

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

Section 2 of said Confirming Resolution is hereby amended to extend the designation of "Economic Revitalization Area" from a period of three (3) years to a period of ten (10) years commencing July 5, 1995.

This Amendment to Confirming Resolution 95-6 shall be in full force and effect from and after the date hereof.

7 July 1998
Date



LARRY R. UESSON, President
Hendricks County Council

AMENDMENT TO
CONFIRMING RESOLUTION NO. 95-7

WHEREAS, the Hendricks County Council has previously designated and declared by Confirming Resolution No. 95-7 certain property owned by Rays Trash Service, Inc. and Hendricks County Recycle & Transfer, Inc. as an "Economic Revitalization Area" under I.C. 6-1.1-12.1; and

WHEREAS, Section 2 of said Confirming Resolution states that the designation of "Economic Revitalization Area" commenced July 5, 1995, continue for a period of three (3) years and thereafter terminate; and

WHEREAS, Section 6 of said Confirming Resolution states that "the deduction from the assessed value of the real property shall be for a period of ten (10) years, and that the deduction from the assessed value of the new manufacturing equipment shall be for a period of ten (10) years"; and

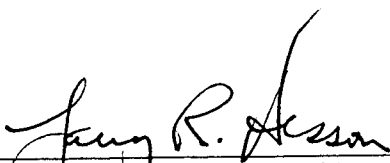
WHEREAS, this Amendment to said Confirming Resolution is for the purpose of clarifying the contradictory terms of said Confirming Resolution previously described herein.

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

Section 2 of said Confirming Resolution is hereby amended to extend the designation of "Economic Revitalization Area" from a period of three (3) years to a period of ten (10) years commencing July 5, 1995.

This Amendment to Confirming Resolution 95-7 shall be in full force and effect from and after the date hereof.

7 July 1998
Date



LARRY R. HESSON, President
Hendricks County Council

1998-5

RESOLUTION

**FROM THE HENDRICKS COUNTY AREA PLAN COMMISSION
TO THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY,
INDIANA**

WHEREAS, the legislature of the State of Indiana granted certain powers to the County Plan Commission dealing with comprehensive planning within their jurisdiction pursuant to IC 36-7-4-500, as amended; and

WHEREAS, the Hendricks County Area Plan Commission established a Comprehensive Plan Steering Committee in June 1997 to assist the revision of the Hendricks County Comprehensive Plan; and

WHEREAS, the Hendricks County Area Plan Commission held a public hearing on June 23, 1998, after giving public notice in accordance with the provisions of IC 5-3-1; and

WHEREAS, the Comprehensive Plan Steering Committee and the Hendricks County Area Plan Commission have given consideration to the current conditions of Hendricks County and the probable future growth and have prepared a comprehensive plan entitled "Hendricks County Comprehensive Plan 1998" and that such a plan provides development policy within Hendricks County; and

WHEREAS, the recommended Comprehensive Plan establishes objectives for revisions to the Hendricks County Zoning and Subdivision Control Ordinances which are the ordinances that are used to implement the policies of the Comprehensive Plan; and

WHEREAS, the Hendricks County Area Plan Commission found that the current ordinances should remain in effect until revision of said ordinances in accordance with the schedule outlined in the Comprehensive Plan; and

WHEREAS, the proposed Hendricks County Comprehensive Plan contains goals and objectives for the orderly development of Hendricks County and establishes policy for Hendricks County Government regarding the development of Hendricks County.

NOW THEREFORE, in order to promote the public health, safety, morals, convenience, order and the general welfare and for the sake of efficiency and economy in the process of developing Hendricks County, the Hendricks County Area Plan Commission now recommends to the Board of County Commissioners of Hendricks County, Indiana that the Comprehensive Plan, attached hereto and made a part thereof, be in full force and effect after its date of passage.

Respectfully submitted,
Hendricks County Area Plan Commission
of Hendricks County, Indiana

BY: C. Richard Whicker
C. Richard Whicker, President

ATTEST:

Walter F. Reeder III

Walter F. Reeder, III, Secretary

Resolution adopted: 6/23/98

