

ORDINANCE NO. 2006-03

AN ORDINANCE AMENDING ALL ORDINANCES
AMENDATORY THEREOF, BEING AN ORDINANCE
IMPOSING RESTRICTION UPON VEHICLES OPERATED
ON COUNTY ROADS IN BAINBRIDGE TOWNSHIP IN
DUBOIS COUNTY, INDIANA

WHEREAS, the Board of Commissioners of Dubois County, Indiana, after having received a report on and considered an engineering and traffic investigation conducted by the County Highway Engineer regarding the affected intersections, and having the jurisdiction and responsibility to establish rules and regulations for the operation of vehicles and traffic on the following highways in said County, and;

WHEREAS, the Board of Commissioners now find that it is in the best interests of the citizens of said County and required for public safety to establish rules and regulations for the operation of vehicles in the use of the streets and highways hereinafter designated.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
COMMISSIONERS OF THE COUNTY OF DUBOIS, STATE OF INDIANA:

The provisions of this ordinance relate to preferential highways and stop signs on certain highways in Dubois County, Indiana.

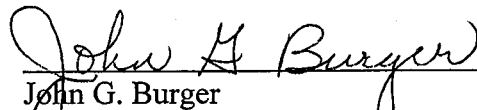
1. At the intersection of Ann Lane and Bart Lane (BA39), Ann Lane shall be the preferential highway and a stop sign shall be placed on the north approach of Bart Lane with Ann Lane.

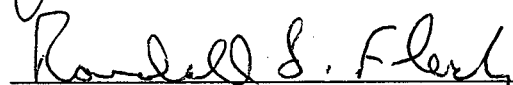
Violation of this ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance pertaining to preferential roads heretofore adopted by this Board of County Commissioners.

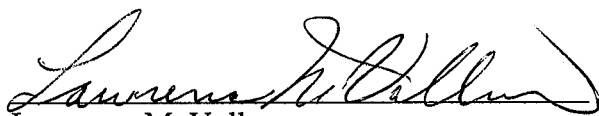
This Ordinance shall be effective from and following its passage and publication and upon completion of any other requirement required by law.

ADOPTED: June 19, 2006

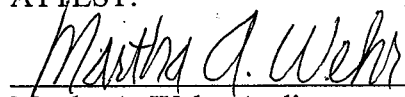
BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA


John G. Burger


Randall L. Fleck


Lawrence M. Vollmer

ATTEST:


Martha A. Wehr, Auditor

ORDINANCE
2006-4

AN ORDINANCE ESTABLISHING A
COMMUNITY CORRECTIONS COMMISSARY FUND

WHEREAS, through the joint efforts of the County executive, fiscal and judicial branches there has been established a Dubois County Community Corrections Center; and

WHEREAS, the operation of said facility necessitates the sale to committed individuals of certain items required for their personal needs, for the purchase of items for inventory, and in some cases the retention by the center staff of funds belonging to said committed individuals for use in said premises.

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

Section 1. There is hereby established a "Community Corrections Commissary Fund", hereinafter referred to as the "Fund".

Section 2. Said Fund shall be separate from the County's General Fund; funds therein shall not revert to the General Fund; and disbursements from said Fund shall not be the subject of required appropriations.

Section 3. The primary purpose of the Fund shall be for the purpose of purchase of merchandise for resale to individuals committed to the Dubois County Community Corrections Center (hereinafter referred to as "Center").

Section 4. The Fund shall be under the supervision of the Director of the Dubois County Community Corrections Center, who shall cause all receipts from the sale of such merchandise to be deposited into said Fund, which he shall keep in a depository designated under I.C. 5-13-8.

Section 5. The Director or his designee, without appropriation, may distribute money from the Fund to purchase merchandise for inventory for resale to individuals committed to the Center, their visitors or Center staff, and to pay expenses of operating the commissary. Other expenditures authorized from the Commissary Fund, upon approval of the Dubois County Community Corrections Advisory Board, are as follows:

1. Maintenance and repair of equipment;
2. Uniforms for staff; and
3. Emergency expenses.

IT IS UNDERSTOOD AND AGREED, that the Commissary Fund shall always maintain a balance of not less than \$5,000.00.

Expenditures for any purpose other than described above must be mutually agreed upon by the Dubois County Community Corrections Advisory Board and the County fiscal body, but shall be supplemental to the principal purpose of the Fund.

Section 6. The Director or his designee shall maintain a record of receipts and disbursements from the Fund on such form as prescribed by the State Board of Accounts. The Director shall submit a copy of said record on

a semi-annual basis to the Community Corrections Advisory Board and to the Dubois County Council.

Section 7. This ordinance shall take effect upon its adoption by the Board of County Commissioners, and its approval by the Dubois County Council.

ADOPTED this 19th day of June, 2006.

BOARD OF COUNTY COMMISSIONERS OF
DUBOIS COUNTY, INDIANA

John H. Burger
Russell P. Fleck
Lawrence R. Walker

APPROVED:
DUBOIS COUNTY COUNCIL

BY: Gregory A. Kendall
PRESIDENT

June 19, 2006

ATTEST:

Martha A. Weber
AUDITOR OF DUBOIS COUNTY, INDIANA

ORDINANCE NO. 2006-5

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, VACATING A PORTION OF A STREET IN BAINBRIDGE TOWNSHIP, DUBOIS COUNTY INDIANA

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

Section 1. It is the finding of this Commission, after public hearing held on July 14, 2006, that adequate reason exists for the vacation of the following Street located in Bainbridge Township, of Dubois County, Indiana, to-wit:

All of the 50 foot county right-of-way known as "C" Street being located Westerly of Lot Number 28 of Rolling Hills Subdivision and Southerly of the projected South right-of-way line of Hillbrook Road.

It is the further finding of the Commission that proper notice has been given of said hearing as evidenced by Proof of Publication; that no person other than the petitioners are owners of real estate adjacent to said Street; that no member of the public has objected to said vacation; that no public benefit is to be derived from the continued existence of said public way; that the adjacent property owners have petitioned the vacation of said public way; that the proposed vacation will not hinder growth or development, will not hinder use of a public way by the neighborhood, will not hinder access to a church, school or public building, and will not make access to other property difficult or inconvenient; that the vacation of said public way will not diminish the value of any other real estate located in the vicinity thereof; that no public utilities are known to exist within said easements, but that if any so exist said utility shall remain in place; and that no reason exists of the continued existence of said public way and that the same should now be vacated.


Section 2. That said public way as herein described shall be and are hereby vacated, subject however to a continuing perpetual easement as to any public utilities which may now be located within the boundaries thereof.

Section 3. That legal title in and to said real estate shall be and is hereby vested to the adjacent property owners, in the following manner: The East one-half (1/2) thereof to Eugene A. and Jane A. Hochgesang, husband and wife, and the West one-half (1/2) thereof to Christian Church of Jasper, Inc.

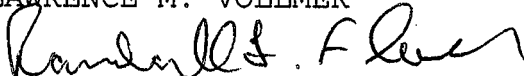
Section 4. This Ordinance shall be in full force and effect from and after its adoption.

DULY PASSED AND ADOPTED THE 14TH DAY OF JULY, 2006.

COMMISSIONERS OF DUBOIS COUNTY, INDIANA


JOHN G. BURGER


LAWRENCE M. VOLLMER


RANDALL L. FLECK

ATTEST:


MARTHA A. WEHR, COUNTY AUDITOR

Duly entered this

AUG 11 2006

Auditor Dubois County

ORDINANCE NO. 2006-6

AN ORDINANCE AMENDING ALL ORDINANCES
AMENDATORY THEREOF, BEING AN ORDINANCE
IMPOSING RESTRICTION UPON VEHICLES OPERATED
ON COUNTY ROADS IN JACKSON TOWNSHIP IN
DUBOIS COUNTY, INDIANA

WHEREAS, the Board of Commissioners of Dubois County, Indiana, after having received a report on and considered an engineering and traffic investigation conducted by the County Highway Engineer regarding the affected intersections, and having the jurisdiction and responsibility to establish rules and regulations for the operation of vehicles and traffic on the following highways in said County, and;

WHEREAS, the Board of Commissioners now find that it is in the best interests of the citizens of said County and required for public safety to establish rules and regulations for the operation of vehicles in the use of the streets and highways hereinafter designated.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
COMMISSIONERS OF THE COUNTY OF DUBOIS, STATE OF INDIANA:

The provisions of this ordinance relate to preferential highways and stop signs on certain highways in Dubois County, Indiana.

1. At the intersection of Santine Road and Rolling Ridge Drive (JA59), Santine Road shall be the preferential highway and a stop sign shall be placed on the south approach of Rolling Ridge Drive with Santine Road.
2. At the intersection of Rolling Ridge Drive and Megan Court (JA60), Rolling Ridge Drive shall be the preferential highway and a stop sign shall be placed on the east approach of Megan Court with Rolling Ridge Drive.

Violation of this ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance pertaining to preferential roads heretofore adopted by this Board of County Commissioners.

This Ordinance shall be effective from and following its passage and publication and upon completion of any other requirement required by law.

ADOPTED: September 25, 2006

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

John G. Burger
John G. Burger

Randall L. Fleck
Randall L. Fleck

Lawrence M. Vollmer
Lawrence M. Vollmer

ATTEST:

Martha A. Wehr
Martha A. Wehr, Auditor

ORDINANCE 2006-7

AN ORDINANCE ESTABLISHING A SPEED
LIMIT ON A PORTION OF CO. RD. 725 NORTH
AND MESSMER DRIVE IN DUBOIS COUNTY,
INDIANA,

WHEREAS, any person operating a motor vehicle on a public highway within Dubois County, Indiana, shall operate the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to traffic, surface and width of roadway, and to other conditions then existing; but,

WHEREAS, It is the determination of the Board of County Commissioners that limits shall be placed upon the maximum speed which shall be allowed when traveling such public highways; and,

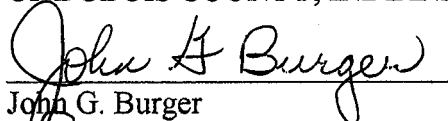
WHEREAS, As a result of study conducted and review made of road conditions at the following location, it has been determined that a more restrictive speed limit is required for the safety of the general public.

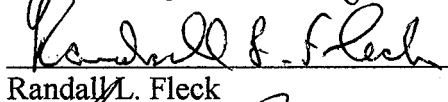
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THAT:

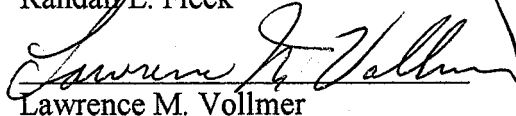
1. Motor vehicles operated on Co. Rd. 725 North from Co. Rd. 400 East to 0.65 miles west of Co. Rd. 400 East being a distance of approximately 0.65 miles, shall be restricted to a maximum speed of 45 miles per hour.
2. Motor vehicles operated on Messmer Drive from Mundy Boulevard to Dead End being a distance of approximately 0.07 miles, shall be restricted to a maximum speed of 25 miles per hour.
3. Each such public highway shall be posted for such maximum speed limit.
4. Violation of this Ordinance shall be punishable in that manner prescribed by Indiana Statute and by prior Ordinance pertaining to speed limits heretofore adopted by this Board of County Commissioners.
5. This Ordinance shall be effective from and following its passage and proper posting of the described speed limit.

ADOPTED: September 25, 2006

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA


John G. Burger


Randall L. Fleck


Lawrence M. Vollmer

ATTEST:


Martha A. Wehr, Auditor

ORDINANCE NO. 2006-08

AN ORDINANCE AMENDING ALL ORDINANCES
AMENDATORY THEREOF, BEING AN ORDINANCE
IMPOSING RESTRICTION UPON VEHICLES OPERATED
ON COUNTY ROADS IN JACKSON TOWNSHIP IN
DUBOIS COUNTY, INDIANA

WHEREAS, the Board of Commissioners of Dubois County, Indiana, after having received a report on and considered an engineering and traffic investigation conducted by the County Highway Engineer regarding the affected intersections, and having the jurisdiction and responsibility to establish rules and regulations for the operation of vehicles and traffic on the following highways in said County, and;

WHEREAS, the Board of Commissioners now find that it is in the best interests of the citizens of said County and required for public safety to establish rules and regulations for the operation of vehicles in the use of the streets and highways hereinafter designated.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
COMMISSIONERS OF THE COUNTY OF DUBOIS, STATE OF INDIANA:

The provisions of this ordinance relate to preferential highways and stop signs on certain highways in Dubois County, Indiana.

1. At the intersection of County Road 50 East and Deer Trail (JA61), County Road 50 East shall be the preferential highway and a stop sign shall be placed on the east approach of Deer Trail with County Road 50 East.
2. At the intersection of County Road 450 South and Deer Trail (JA62), County Road 450 South shall be the preferential highway and a stop sign shall be placed on the south approach of Deer Trail with County Road 450 South.

Violation of this ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance pertaining to preferential roads heretofore adopted by this Board of County Commissioners.

This Ordinance shall be effective from and following its passage and publication and upon completion of any other requirement required by law.

ADOPTED: November 20, 2006

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

John G. Burger
John G. Burger

Randall L. Fleck
Randall L. Fleck

Lawrence M. Vollmer
Lawrence M. Vollmer

ATTEST:

Martha A. Wehr
Martha A. Wehr, Auditor

ORDINANCE NO. 2006-9

AN ORDINANCE EXCLUDING THROUGH TRUCK,
SEMITRACTOR AND SEMITRAILER TRAFFIC ON CO.
RD. 450 SOUTH IN JACKSON TOWNSHIP IN DUBOIS
COUNTY, INDIANA

WHEREAS, the Board of Commissioners of Dubois County, Indiana, after a traffic investigation, and having the jurisdiction and responsibility to establish rules and regulations for the operation of vehicles and traffic on the following highways in said county, and;

WHEREAS, the Board of Commissioners have determined that no through trucks, semitractors, and semitrailers of 10,000 pounds or more shall be allowed when traveling such public highway.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DUBOIS, STATE OF INDIANA:

1. Motor vehicles operating on Co. Rd. 450 South from 50 East to Deer Trail, shall be restricted to no through trucks, semitractors, and semitrailers of 10,000 pounds or more.
2. Local service traffic shall be exempt from this ordinance.
3. Such public highway shall be posted for such restriction.
4. Violation of this Ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance heretofore adopted by this Board of County Commissioners.
5. This Ordinance shall be effective from and following its passage and publication and proper signing of the described road.

ADOPTED: December 4, 2006

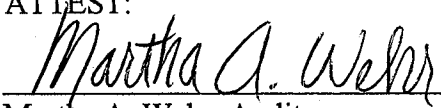
BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA


John G. Burger


Randall L. Fleck


Lawrence M. Vollmer

ATTEST:


Martha A. Wehr, Auditor

ORDINANCE NO. 2006-10

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

1. To prevent damage caused by excess weight on County Roads during periods of freeze and thaw, the Commissioners hereby establish a 10 ton gross load (weight) limit on all motor vehicles operated on County Roads within Dubois County, Indiana during the period from January 15, 2007 through April 15, 2007. Jasper 3rd Avenue from Jasper city limits south to S.R. 162 is exempt from this Ordinance.
2. Operation of a motor vehicle on any County Road in violation of this Ordinance shall be a Class C infraction, as defined by I.C. 34-6-2-85 and I.C. 34-28-5-4.
3. This Ordinance shall become effective upon publication as required by law.

ADOPTED: December 18, 2006

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

John G. Burger
John G. Burger

Randall L. Fleck
Randall L. Fleck

Lawrence M. Vollmer
Lawrence M. Vollmer

ATTEST:

Martha A. Wehr
Martha A. Wehr, Auditor

ORDINANCE NO. 2006- 01

COUNTY COUNCIL OF DUBOIS COUNTY, INDIANA

AN ORDINANCE TO ESTABLISH THE DUBOIS COUNTY RECORDER'S
ENHANCED ACCESS FUND

Whereas, under the authority provided by Indiana Code (IC 5-14-3-3.6 (c) (2) the Dubois County Recorder has entered into a contract with a third party to provide enhanced access to recorded document index information and to recorded document images that are public records on file and under the legal authority of said Recorder; and

Whereas, IC 5-14-3-3.6 (e) and IC 5-14-3-8 (h) permit the assessment of a reasonable fee for the provision of such enhanced access to public records; and

Whereas, IC 5-14-3-8.3 requires the county fiscal body to adopt an ordinance to establish an enhanced access fund into which the enhanced access fees received by the Recorder shall be deposited;

NOW, THEREFORE, BE IT ORDAINED by the County Council of Dubois County, Indiana, that it does hereby establish the Dubois County Recorder Enhanced Access Fund No. 163 (the "Fund") to receive those fees collected by said Recorder for the above-described provision of enhanced public access to public records under said Recorder's charge.

BE IT FURTHER ORDAINED that the Fund shall be a dedicated fund and the monies deposited therein shall be used (i) for the replacement, improvement, and expansion of capital expenditures in the Dubois County Recorder's Office, and/or (ii) for the reimbursement of operating expenses incurred in providing enhanced access to public information by the Dubois County Recorder's Office.

Duly adopted this 27th day of December, 2006.

DUBOIS COUNTY COUNCIL
DUBOIS COUNTY, INDIANA

Melvin Menke Angus A. Kendall
Steve Fife Jimmy Henefer
Mark A. Brescher Donna L. Schroeder
 Scott J. Kunes

ATTEST:

Martha A. Wehr
Martha A. Wehr, Auditor

ORDINANCE NO. 2007-1AN ORDINANCE EXCLUDING SEMI-TRUCK
TRAFFIC ON GRANT STREET IN IRELAND,
DUBOIS COUNTY, INDIANA

WHEREAS, the Board of Commissioners of Dubois County, Indiana, after a traffic investigation, and having the jurisdiction and responsibility to establish rules and regulations for the operation of vehicles and traffic on the following highways in said County, and;

WHEREAS, the Board of Commissioners now find that it is in the best interests of the citizens of said County to establish rules and regulations for the operation of vehicles in the use of the streets and highways hereinafter designated.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DUBOIS, STATE OF INDIANA:

1. The provisions of this ordinance relate to the exclusion of semi-truck traffic on certain highways in Ireland, Madison Township, Dubois County, Indiana.

2. That no semi-truck traffic will be allowed on Grant Street from Center Street to State Road 56.

3. Violation of this ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance heretofore adopted by this Board of County Commissioners.

4. This Ordinance shall be effective from and following its passage and publication and proper signing of the described streets.

ADOPTED: April 23, 2007

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

John G. Burger
John G. Burger

Randall L. Fleck
Randall L. Fleck

Lawrence M. Vollmer
Lawrence M. Vollmer

ATTEST:

Martha A. Wehr
Martha A. Wehr, Auditor

ORDINANCE NO. 2007-2

AN ORDINANCE AMENDING ALL ORDINANCES
AMENDATORY THEREOF, BEING AN ORDINANCE
IMPOSING RESTRICTION UPON VEHICLES OPERATED
ON COUNTY ROADS - 2ND STREET AND WALNUT STREET
IN THE COMMUNITY OF DUBOIS IN HARBISON
TOWNSHIP IN DUBOIS COUNTY, INDIANA

WHEREAS, the Board of Commissioners of Dubois County, Indiana, after having received a report on and considered an engineering and traffic investigation conducted by the County Highway Engineer regarding the affected intersections, and having the jurisdiction and responsibility to establish rules and regulations for the operation of vehicles and traffic on the following highways in said County, and;

WHEREAS, the Board of Commissioners now find that it is in the best interests of the citizens of said County and required for public safety to establish rules and regulations for the operation of vehicles in the use of the streets and highways hereinafter designated.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
COMMISSIONERS OF THE COUNTY OF DUBOIS, STATE OF INDIANA:

The provisions of this ordinance relate to preferential highways and stop signs on certain highways in Dubois County, Indiana.

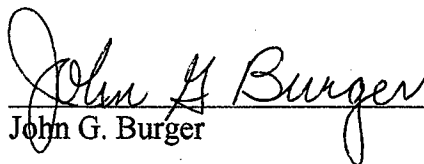
1. At the intersection of 2nd Street and Walnut Street in the Community of Dubois (HB42), 2nd Street shall be the preferential highway and a stop sign shall be placed on the east and west approaches of Walnut Street with 2nd Street.

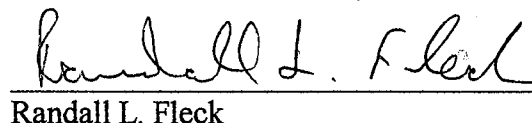
Violation of this ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance pertaining to preferential roads heretofore adopted by this Board of County Commissioners.

This Ordinance shall be effective from and following its passage and publication and upon completion of any other requirement required by law.

ADOPTED: April 23, 2007

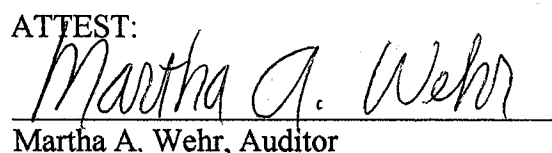
BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA


John G. Burger


Randall L. Fleck


Lawrence M. Vollmer

ATTEST:


Martha A. Wehr, Auditor

ORDINANCE NO. 2007-3

AN ORDINANCE EXCLUDING THROUGH TRUCK,
SEMITRACTOR, AND SEMITRAILER TRAFFIC ON, CO.
RD. 300 NORTH, 36TH STREET, CO. RD. 400 NORTH, 47TH
STREET, AND CO. RD. 500 WEST, IN DUBOIS COUNTY
INDIANA

WHEREAS, the Board of Commissioners of Dubois County, Indiana, after a traffic investigation, and having jurisdiction and responsibility to establish rules and regulations for the operation of vehicles and traffic, did adopt Ordinance No. 2002-06 so as to provide that no through trucks, semitractors, and semitrailers of 10,000 pounds or more shall be allowed when traveling such public highways; and,

WHEREAS, the Board of Commissioners have subsequently determined that it is in the best interest of health and safety of the residents of the County and the best interest of the County's agricultural economy that certain agricultural traffic should be exempted from such weight restriction;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THAT ORDINANCE 2002-06 SHOULD BE AMENDED SO AS TO HEREAFTER READ AS FOLLOWS:

1. Motor vehicles operated on Co. Rd 300 North from 36th Street to Co. Rd. 500 West, shall be restricted to no through trucks, semitrailers of 10,000 pounds or more.
2. Motor vehicles operated on 36th Street from Jasper City Limits to Co. Rd. 300 North, shall be restricted to no through trucks, semitractors, and semitrailers of 10,000 pounds or more.
3. Motor vehicles operated on Co. Rd. 400 North from 47th Street to Co. Rd. 500 West, shall be restricted to no through trucks, semitractors, and semitrailers of 10,000 pounds or more.
4. Motor vehicles operated on 47th Street from U.S. 231 to Co. Rd. 400 North, shall be restricted to no through trucks, semitractors, and semitrailers of 10,000 pounds or more.
5. Motor vehicles operated on Co. Rd. 500 West from Co. Rd. 400 North to S.R. 56, shall be restricted to no through trucks, semitractors, and semitrailers of 10,000 pounds or more.
6. Local service traffic shall be exempt from this ordinance.
7. Operating farm wagons, farm tractors and farm machinery, and vehicles issued "farm" plates, or transporting hazardous and/or agricultural chemicals, and/or live poultry/livestock and/or dry or liquid animal wastes shall be exempt from this ordinance.
8. Such public highway shall be posted for such restrictions.
9. Violation of this Ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance heretofore adopted by this Board of County Commissioners.
10. This Ordinance shall be effective from and following its passage and publication and proper signing of the described roads.

ADOPTED: May 7, 2007.

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

John H. Burger
Thomas J. F. Leal
Lawrence A. Hall

ATTEST:

Martha A. Wehr
MARTHA A. WEHR, AUDITOR

AN ORDINANCE EXCLUDING THROUGH TRUCK,
SEMITRACTOR, AND SEMITRAILER TRAFFIC ON,
CO. RD. 400 NORTH (47TH STREET)
AND CO. RD. 500 WEST, IN DUBOIS COUNTY INDIANA

WHEREAS, the Board of Commissioners of Dubois County, Indiana, after a traffic investigation, and having jurisdiction and responsibility to establish rules and regulations for the operation of vehicles and traffic, did adopt Ordinance No. 2002-06 so as to provide that no through trucks, semitractors, and semitrailers of 10,000 pounds or more shall be allowed when traveling such public highways; and,

WHEREAS, the Board of Commissioners have subsequently determined that it is in the best interest of health and safety of the residents of the County and the best interest of the County's agricultural economy that certain agricultural traffic should be exempted from such weight restriction; and,

WHEREAS, the Board of Commissioners desire to further restrict the use by certain vehicles on CR 300 North, and to that extent desire to amend Ordinance 2007-03;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THAT ORDINANCE 2002-06 AND ORDINANCE 2007-03 SHOULD BE AMENDED SO AS TO HEREAFTER READ AS FOLLOWS:

1. Motor vehicles operated on Co. Rd 300 North from West 36th Street to Co. Rd. 500 West, shall be restricted to no through trucks, semitrailers of 10,000 pounds or more.
2. Motor vehicles operated on West 36th Street from Jasper West City Limits to Co. Rd. 300 North, shall be restricted to no through trucks, semitractors, and semitrailers of 10,000 pounds or more.
3. Motor vehicles operated on Co. Rd. 400 North from West 47th Street to Co. Rd. 500 West, shall be restricted to no through trucks, semitractors, and semitrailers of 10,000 pounds or more.
4. Motor vehicles operated on the County portion of 47th Street between U.S. 231 and Co. Rd. 400 North, shall be restricted to no through trucks, semitractors, and semitrailers of 10,000 pounds or more.
5. Motor vehicles operated on Co. Rd. 500 West between Co. Rd. 400 North and S.R. 56, shall be restricted to no through trucks, semitractors, and semitrailers of 10,000 pounds or more.
6. Local service traffic, operating farm wagons, farm tractors and farm machinery shall be exempt from this ordinance.
7. Vehicles issued "farm" plates, or transporting agricultural hazardous chemicals, and/or live poultry/livestock, and/or dry or liquid animal wastes shall be exempt from this ordinance when operating on CR 400 North West of U.S. 231 or on CR 500 West between CR 400 North and SR 56.
8. Such public highway shall be posted for such restrictions.
9. Violation of this Ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance heretofore adopted by this Board of County Commissioners.
10. This Ordinance shall be effective from and following its passage and publication and proper signing of the described roads.

ADOPTED: May 11th, 2007.

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

John H. Buege
Ronald J. Elmer
Lawrence W. Helms

ATTEST:

Martha A. Wehr
MARTHA A. WEHR, AUDITOR

Brenda K. Schnarr
Dubois County Recorder IN
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05/29/2007 15:15:07 2 PGS
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ORDINANCE NO. 2007-05

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, VACATING A PORTION OF PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT NO. 44 IN GREEN MEADOWS 4TH ADDITION IN MADISON TOWNSHIP, DUBOIS COUNTY, INDIANA

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

Section 1. It is the finding of this Board, after public hearing held on May 7, 2007, that adequate reason exists for the vacation of the following public utility and drainage easement located in Dubois County, Indiana, to-wit:

Beginning at a point 10 feet South of the Northeast Corner of Lot No. 44 in Green Meadows 4th Addition, a subdivision in Madison Township of Dubois County, Indiana, and running thence South 10 feet, thence West parallel with the North Lot line to the West line of said Lot at a point 20 feet South of the Northwest Corner thereof, thence North 10 feet, thence East parallel with the North Lot line to the place of beginning.

The Easement to be vacated being the South Half of an existing public utility and drainage easement.

It is the further finding of this Board that proper notice has been given by publication of said hearing and that no notice by certified mail is required; that the described portion of said easement is not required or used as public ways, but is used as part of yard of the subject Lot #44, no public benefit is to be derived from the continued existence of said public easement; that no adjacent property owners will be affected by the petitioned vacation of said easement; that the vacation of said highway and alleys will not diminish the value of any other real estate located in the vicinity thereof; that no public utilities are known to exist within said easement, but that should any such utility exist the same shall remain in place; that said easement was initially required to be 20 feet in width due to the fact that said Lot #44 was the last or end Lot in said Green Meadows 4th Addition and the adjacent property was not platted, thereby requiring a 20 foot utility/drainage easement on Lot #44 to comply with subdivision

requirements for a minimum of 20 foot wide easment, but that the adjacent property has been subjectly subdivided and a 10 foot wide utility/drainage easement has been included thereon immediately adjacent to the 20 foot easement on Lot #44; that because of the additional 10 feet subsequently dedicated as public easement, only a 10 foot easement is required on Lot #44; that no public benefit is to be derived from the continued existence of said public way; that the proposed vacation will not hinder growth or development, will not hinder use of a public way by the neighborhood, will not hinder access to a church, school or public building, and will not make access to other property difficult or inconvenient; and that no reason exists for the continued existence of said portion of utility/drainage easement and the same should now be vacated.

Section 2. That the 10 foot wide portion of said public utilities and drainage easement as herein described shall be and is hereby vacated, subject however to a continuing perpetual easement as to any public utility which are now located within the boundaries thereof.

Section 3. That legal title in and to said real estate shall be and is hereby vested fully in the owners of said Lot #44, to-wit: Brian M. Seibert and Shannon M. Seibert, free of public easement.

Section 4. This Ordinance shall be in full force and effect from and after its adoption.

DULY PASSED AND ADOPTED THIS ^{16th} ~~21st~~ DAY OF MAY, 2007.

Duly entered this

BOARD OF COMMISSIONERS OF
DUBOIS COUNTY, INDIANA

MAY 29 2007
Martha A. Asher
Auditor Dubois County

John H. Burger
Donald H. Fleck
Lawrence M. Bellum

ATTEST

Martha A. Asher
COUNTY AUDITOR

2007004064 MISC \$0.00
06/25/2007 02:22:11P 2 PGS
Brenda K. Schnarr
Dubois County Recorder IN
Recorded as Presented

ORDINANCE NO. 2007-06

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, VACATING PORTIONS OF THE TOWN OF KYANA, AND PUBLIC WAYS THEREIN, IN JACKSON TOWNSHIP, DUBOIS COUNTY, INDIANA

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

Section 1. It is the finding of this Board, after public hearing held on May 21, 2007, that adequate reason exists for the vacation of the following portions of the Town of Kyana located in Dubois County, Indiana, to-wit:

Lots #1 through #14 in Block #5 of the Town of Kyana, Dubois County, Indiana; and that dedicated alley adjacent to and South of Lots #1 through #12 of said Block #5; and all of that portion of Oak Street East of the East line extended of Walnut Street, being immediately North of and adjacent to Lots #1 through 7 and part of Lot #8 of said Block #5.

It is the further finding of this Board that proper notice has been given by publication of said hearing as continued and that no notice by certified mail is required; that petitioner is owner of all of those Lots to be vacated; that the described portions of said roadways are not required or used as public ways; that no public benefit is to be derived from the continued existence of said Lots or public ways; that no adjacent property owners will be affected by the petitioned vacation of said easement; that the vacation of said Lots, highway and alley will not diminish the value of any other real estate located in the vicinity thereof; that no public utilities are known to exist on said Lots or within said easement, but that should any such utility exist the same shall remain in place; that the proposed vacation will not hinder but will assist in growth or development, will not hinder use of a public way by the neighborhood, will not hinder access to a church, school or public building, and will not make access to other property difficult or inconvenient; and that no reason exists for the continued existence of said

described portion of Town Lots, alley and street and the same should now be vacated.

Section 2. That Lots No. 1 through 14 in the Town of Kyana, Dubois County, Indiana, public alley and portion of Oak Street, all as herein above more fully described shall be and is hereby vacated, subject however to a continuing perpetual easement as to any public utility which are now located within the boundaries thereof.

Section 3. That legal title in and to said vacated real estate shall be and is hereby vested fully in the owner of the adjacent real estate, to-wit: Wallhauser Farms, Inc., subject to any existing utilities.

Section 4. This Ordinance shall be in full force and effect from and after its adoption.

DULY PASSED AND ADOPTED THIS 11TH DAY OF JUNE, 2007.

BOARD OF COMMISSIONERS OF
DUBOIS COUNTY, INDIANA

John H. Burger
Donald E. F. Lee
Lawrence D. Collins

ATTEST:

Martha A. Wehr
MARTHA A. WEHR, COUNTY AUDITOR

Duly entered this

JUN 25 2007
Martha A. Wehr
Auditor Dubois County

ORDINANCE NO. 2007-07

AN ORDINANCE EXCLUDING THROUGH TRUCK,
SEMITRACTOR, AND SEMITRAILER TRAFFIC ON,
CO. RD. 400 NORTH (47TH STREET)
AND CO. RD. 500 WEST, IN DUBOIS COUNTY INDIANA

WHEREAS, the Board of Commissioners of Dubois County, Indiana, after a traffic investigation, and having jurisdiction and responsibility to establish rules and regulations for the operation of vehicles and traffic, did adopt Ordinance No. 2002-06 so as to provide that no through trucks, semitractors, and semitrailers of 10,000 pounds or more shall be allowed when traveling such public highways; and,

WHEREAS, the Board of Commissioners have subsequently determined that it is in the best interest of health and safety of the residents of the County and the best interest of the County's agricultural economy that certain agricultural traffic should be exempted from such weight restriction; and,

WHEREAS, the Board of Commissioners desire to further restrict the use by certain vehicles on CR 300 North, and to that extent desire to amend Ordinance 2007-03

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THAT ORDINANCE 2002-06 AND ORDINANCE 2007-03 SHOULD BE AMENDED SO AS TO HEREAFTER READ AS FOLLOWS:

1. Motor vehicles operated on Co. Rd. 400 North from West 47th Street to Co. Rd. 500 West, shall be restricted to no through trucks, semitractors, and semitrailers of 10,000 pounds or more.

2. Motor vehicles operated on the County portion of 47th Street between U.S. 231 and Co. Rd. 400 North, shall be restricted to no through trucks, semitractors, and semitrailers of 10,000 pounds or more.

3. Motor vehicles operated on Co. Rd. 500 West between Co. Rd. 400 North and S.R. 56, shall be restricted to no through trucks, semitractors, and semitrailers of 10,000 pounds or more.

4. Local service traffic, operating farm wagons, farm tractors and farm machinery shall be exempt from this ordinance.

5. Vehicles issued "farm" plates, or transporting agricultural hazardous chemicals, and/or live poultry/livestock, and/or dry or liquid animal wastes shall be exempt from this ordinance when operating on CR 400 North West of U.S. 231 or on CR 500 West between CR 400 North and SR 56.

6. Such public highway shall be posted for such restrictions.

7. Violation of this Ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance heretofore adopted by this Board of County Commissioners.

8. This Ordinance shall be effective from and following its passage and publication and proper signing of the described roads.

ADOPTED: June 11th, 2007.

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

John H. Burger
Donald J. Fleck
Larry M. Vallentyne

ATTEST:

Martha A. Wehr
MARTHA A. WEHR, AUDITOR

ORDINANCE NO. 2007-8

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, VACATING PORTIONS OF PUBLIC WAYS IN THE TOWN OF ST. ANTHONY, INDIANA, IN JACKSON TOWNSHIP, DUBOIS COUNTY, INDIANA

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

Section 1. It is the finding of this Board, after public hearing held on June 11, 2007, that adequate reason exists for the vacation of the following portions of Ohio Street and a three (3) foot alley in the Town of St. Anthony located in Dubois County, Indiana, to-wit:

Beginning at the Northwest Corner of Lot Number 1 as shown on the original Plat of the Town of St. Anthony, Indiana; running thence South 99 feet to the Southwest Corner of Lot Number 1, thence Southwesterly to the Southeast Corner of Lot Number 5; thence North along the East line of Lots 5 and 2 a distance of 202 feet to the Northeast Corner of Lot Number 2; thence West 198 feet along the North line of Lots 2 and 3 to the Northwest Corner of Lot Number 3; thence North 3 feet to the North line of a three foot alley; thence East 242 feet along the North line of such alley to the point of beginning.

It is the further finding of this Board that proper notice has been given by publication of said hearing as continued and that no notice by certified mail is required; that petitioner is owner of all of those Lots adjacent to the Street and alley to be vacated; that the described portions of said public ways are not required or used as public ways; that no public benefit is to be derived from the continued existence of said public ways; that no adjacent property owner and no member of the public will be affected by the petitioned vacation of said easements; that the vacation of said street and alley will not diminish the value of any other real estate located in the vicinity thereof; that no public utilities are known to exist within said easements, but that should any such utility exist the same shall remain in place; that the proposed vacation will not hinder but will assist in growth or development, will not hinder use of a public way by the neighborhood, will not hinder access to a church, school or public building, and will not make access to other property difficult or

inconvenient; and that no reason exists for the continued existence of said described portion of Town alley and street and the same should now be vacated.

Section 2. That the public alley and portion of Ohio Street in the Town of St. Anthony, Dubois County, Indiana, all as herein above more fully described, shall be and are hereby vacated, subject however to a continuing perpetual easement as to any public utility which are now located within the boundaries thereof.

Section 3. That legal title in and to said vacated real estate shall be and is hereby vested fully in the owner of the adjacent real estate, to-wit: Betty Ann Bromm, subject to any existing utilities.

Section 4. This Ordinance shall be in full force and effect from and after its adoption.

DULY PASSED AND ADOPTED THIS 25TH DAY OF JUNE, 2007.

BOARD OF COMMISSIONERS OF
DUBOIS COUNTY, INDIANA

John H. Burger
Randall L. Fleck
Lawrence W. Hall

ATTEST:

Martha A. Wehr
Martha A. Wehr, COUNTY AUDITOR

Duly entered this

JUN 26 2007
Martha A. Wehr
Auditor Dubois County

ORDINANCE NO. 2007-09

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, VACATING PORTIONS OF PUBLIC WAYS IN THE TOWN OF ST. ANTHONY, INDIANA, IN JACKSON TOWNSHIP, DUBOIS COUNTY, INDIANA

WHEREAS, Betty Ann Bromm, by counsel, has heretofore filed with this Board of County Commissioners a Petition for the vacation of a portion of Ohio Street and of an alley in the Town of St. Anthony, Indiana, which petition contained a description omitting one line, which petition was subsequently approved by this Board, which adopted Ordinance #2007-8, vacating said Street and alley as described in said petition; and,

WHEREAS, an Amended Petition has been filed with Board to correct said erroneous description.

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

Section 1. It was and remains the finding of this Board, after public hearing held on June 11, 2007, that adequate reason exists for the vacation of the following portions of Ohio Street and a three (3) foot alley in the Town of St. Anthony located in Dubois County, Indiana, to-wit:

Beginning at the Northwest Corner of Lot Number 1 as shown on the original Plat of the Town of St. Anthony, Indiana; running thence South 99 feet to the Southwest Corner of Lot Number 1, thence Southwesterly to the Southeast Corner of Lot Number 5; thence North along the East line of Lots 5 and 2 a distance of 202 feet to the Northeast Corner of Lot Number 2; thence West 198 feet along the North line of Lots 2 and 3 to the Northwest Corner of Lot Number 3; thence North 3 feet to the North line of a three foot alley; thence East 242 feet along the North line of such alley to a point 3 feet north of the point of beginning, thence South 3 feet to the point of beginning.

It was and remains the further finding of this Board that proper notice has been given by publication of said hearing as continued and that no notice by certified mail is required; that petitioner is owner of all of those Lots adjacent to the Street and alley to be vacated; that the described portions of said public ways are not required or used as public ways; that no public benefit is to be derived from the continued existence of said public ways; that no adjacent property owner and no member of the public will be affected by the petitioned vacation of said easements; that the vacation of said street and alley will not diminish the value of any other real estate located in the vicinity thereof; that no public utilities are known to exist within said easements, but that should any such utility

exist the same shall remain in place; that the proposed vacation will not hinder but will assist in growth or development, will not hinder use of a public way by the neighborhood, will not hinder access to a church, school or public building, and will not make access to other property difficult or inconvenient; and that no reason exists for the continued existence of said described portion of Town alley and street and the same should now be vacated.

Section 2. It is the finding of this Board that the correction of description is not so substantial as to require an additional hearing on said petition and that the notice as originally published adequately advises the public of the boundaries of the property to be vacated and that further publication is not required.

Section 3. That the public alley and portion of Ohio Street in the Town of St. Anthony, Dubois County, Indiana, all as herein above more fully described, shall be and are hereby vacated, subject however to a continuing perpetual easement as to any public utility which are now located within the boundaries thereof.

Section 4. That legal title in and to said vacated real estate shall be and is hereby vested fully in the owner of the adjacent real estate, to-wit: Betty Ann Bromm, subject to any existing utilities.

Section 5. This Ordinance shall be in full force and effect from and after its adoption.

DULY PASSED AND ADOPTED THIS 30 TH DAY OF JULY, 2007.

BOARD OF COMMISSIONERS OF
DUBOIS COUNTY, INDIANA

John H. Burger
Thomas J. Bell
Lawrence J. Vallance

ATTEST:

Martha A. Wehr
Martha A. Wehr, COUNTY AUDITOR

ye

ORDINANCE #2007-1

AN ORDINANCE OF THE DUBOIS COUNTY COUNCIL PROVIDING FOR DISTRIBUTION OF TAX REVENUE RECEIVED BY DUBOIS COUNTY FROM THE FRENCH LICK/WEST BADEN HISTORIC HOTEL DISTRICT RIVERBOAT.

WHEREAS, I.C. 4-33-13-5(b) (5) (A) provides that Dubois County is entitled the distribution of a certain portion of tax revenue remitted from the operation of the riverboat in the historic hotel district in French Lick/West Baden, Indiana; and,

WHEREAS, Said statute provides that said tax revenues, after distribution to the County, are the subject of appropriation by or are subject to redistribution by this County fiscal body, after having received the recommendation of the County Commissioners; and,

WHEREAS, The Dubois County Commissioners have advised this Council that it is the Commissioners' recommendation that said revenue should not be distributed but should be placed in a County fund; and,

WHEREAS, It is the determination of this Council that it would be in the best interest of the taxpayers of this County that said tax revenue should be used in such manner as would result in property tax relief for all County taxpayers.

NOW, THEREFORE, BE IT ORDAINED by the Dubois County Council that, until further ordered by this Council, tax revenue distributed to Dubois County from the operation of the riverboat in the French Lick/West Baden historic hotel district shall be fully allocated to and placed in the General Fund of Dubois County, to be subsequently the subject of appropriation by this Council in a manner conducive with taxpayer relief.

ADOPTED THIS 6th DAY OF AUGUST, 2007.

<u>Greg A. Randall</u>	<u>Mark A. Brescher</u>
<u>Leon Fleck</u>	<u>Jerry Hunefeld</u>
<u>Melvin Menke</u>	<u>Donna L. Schroeder</u>
<u>Scott J. Kries</u>	

ATTEST

Martha A. Wehr
DUBOIS COUNTY AUDITOR