

ORDINANCE NO. 2007-10

AN ORDINANCE AMENDING ALL ORDINANCES
AMENDATORY THEREOF, BEING AN ORDINANCE
IMPOSING RESTRICTION UPON VEHICLES OPERATED
ON COUNTY ROADS IN MADISON 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 Oak Ridge Drive and Alder Creek Drive (MD37), the east approach of Oak Ridge Drive shall be the preferential highway and a stop sign shall be placed on the north approach of Oak Ridge Drive and the south approach of Alder Creek Drive with the east approach of Oak 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: August 13, 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 2007-11

AN ORDINANCE ESTABLISHING A SPEED LIMIT
ON A PORTION OF CO. RD. 500 NORTH, CO. RD.
620 WEST, DIVISION ROAD, KESSNER BRIDGE
ROAD AND MARIAH HILL ROAD 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. 500 North from 1.4 miles east of U.S. 231 to Kellerville Road being a distance of approximately 0.75 miles, shall be restricted to a maximum speed of 45 miles per hour.
2. Motor vehicles operated on Co. Rd 620 West from Co. Rd. 150 North to Division Road being a distance of approximately 1.29 miles, shall be restricted to a maximum speed of 45 miles per hour.
3. Motor vehicles operated on Division Road from Co. Rd. 600 West to Co. Rd. 620 West being a distance of approximately 0.50 miles, shall be restricted to a maximum speed of 45 miles per hour.
4. Motor vehicles operated on Kessner Bridge Road from Co. Rd. 550 West to Ell Creek Road being a distance of approximately 0.28 miles, shall be restricted to a maximum speed of 45 miles per hour.
5. Motor vehicles operated on Mariah Hill Road from Co. Rd. 1100 South to Spencer County Line being a distance of approximately 1.87 miles, shall be restricted to a maximum speed of 45 miles per hour.
6. Each such public highway shall be posted for such maximum speed limit.
7. 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.

8. This Ordinance shall be effective from and following its passage and proper posting of the described speed limit.

ADOPTED: August 27, 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 2007- 12

ORDINANCE ALLOWING THE DUBOIS COUNTY SHERIFF TO CHARGE ANNUAL
SEX OR VIOLENT OFFENDER REGISTRATION FEES AND SEX OR VIOLENT
OFFENDER ADDRESS CHANGE FEES

WHEREAS, DUBOIS County, Indiana, acting by and through the County Council and Board of Commissioners for the County of DUBOIS, State of Indiana, pursuant to I.C. 36-2-13-5.6 and at the request of the DUBOIS County Sheriff desires to adopt an Ordinance allowing the DUBOIS County Sheriff to charge annual sex or violent offender registration fees and address change fees for sex or violent offenders; and

WHEREAS, pursuant to I.C. 36-2-13-5.6 the annual sex or violent offender registration fee is hereby established as Fifty dollars (\$50.00) per year for the registration of sex or violent offenders and Five dollars (\$5.00) for each time a sex or violent offender registers an address change with the DUBOIS County Sheriff's Department; and

WHEREAS, DUBOIS County, Indiana, now establishes a county sex and violent offender administration fund and the DUBOIS County Sheriff's Department shall deposit all funds collected for sex or violent offender registration fees and address change fees for sex or violent offenders into this account. The County Auditor shall monthly transfer Ten percent (10%) of any fees collected to the treasurer of the State of Indiana for deposit in the state sex and violent offender administration fund under I.C. 11-8-8-21.

The DUBOIS County Council may appropriate money from the County sex and violent offender administration fund to defray the expense of administering or ensuring compliance with the laws concerning the Indiana sex and violent offender registry.

BE IT NOW, THEREFORE, ORDAINED by the Commissioners of DUBOIS County, State of Indiana, as follows:

The DUBOIS County Sheriff's Department is hereby authorized to charge the sum of Fifty dollars (\$50.00) per year for the registration of sex or violent offenders and Five dollars (\$5.00) for each time a sex or violent offender registers an address change with the DUBOIS County Sheriff's Department; and

DUBOIS County, Indiana, now establishes a county sex and violent offender administration fund and the DUBOIS County Sheriff's Department shall deposit all funds collected for sex or violent offender registration fees and address change fees for sex or violent offenders into this account. The County Auditor shall monthly transfer Ten percent (10%) of any fees collected to the treasurer of the State of Indiana for deposit in the state sex and violent offender administration fund under I.C. 11-8-8-21.

The DUBOIS County Council may appropriate money from the County sex and violent offender administration fund to defray the expense of administering or ensuring

compliance with the laws concerning the Indiana sex and violent offender registry.

This Ordinance shall be in full force and effect immediately.

ALL OF WHICH IS ORDAINED, ENACTED AND ADOPTED BY THE
DUBOIS COUNTY COUNCIL THIS 17th DAY OF September,
 2007.

Scott Kries
 President

Member

Melvin Menke
 Member

Member

John F. Felt
 Member

Mark A. Brescher
 Member

Jerry Hunefer
 Member

Bruce L. Schroeder

APPROVED BY: BOARD OF COMMISSIONERS OF
DUBOIS COUNTY, INDIANA

John H. Burger
 President

Kendall L. Felt
 Member

Lawrence L. Hall
 Member

ATTEST:

Martha A. Wehr
 NAME Martha A. Wehr
DUBOIS County Auditor

ORDINANCE NO. 2007-13

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 450 South and Rolling Ridge Drive (JA63), County Road 450 South shall be the preferential highway and a stop sign shall be placed on the north approach of Rolling Ridge Drive 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: September 10, 2007

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

John H. 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. 2007-14

AN ORDINANCE AMENDING ALL ORDINANCES
AMENDATORY THEREOF, BEING AN ORDINANCE
IMPOSING RESTRICTION UPON VEHICLES OPERATED
ON COUNTY ROADS IN MADISON 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 500 West and Flint Avenue (MD87), County Road 500 West shall be the preferential highway and a stop sign shall be placed on the west approach of Flint Avenue with County Road 500 West.
2. At the intersection of Flint Avenue and Fern Court (MD88), Flint Avenue shall be the preferential highway and a stop sign shall be placed on the north approach of Fern Court with Flint Avenue.
3. At the intersection of Flint Avenue and Ivy Court (MD89), Flint Avenue shall be the preferential highway and a stop sign shall be placed on the north approach of Ivy Court with Flint Avenue.

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: October 22, 2007

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

John H. 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. 2007-02

AN ORDINANCE PROHIBITING THE CAPITAL PROJECTS BOARD FROM REVIEWING, REVISING, AND REDUCING THE BUDGET, TAX RATE, AND TAX LEVY OF EACH POLITICAL SUBDIVISION LOCATED IN DUBOIS COUNTY, INDIANA.

WHEREAS, the State of Indiana passed House Bill 1478 which, among other things, provided for the establishment of a nine member Tax and Capital Projects Review Board (hereinafter referred to as "Capital Projects Board"); and,

WHEREAS, the said Capital Projects Board possesses all the powers currently vested in the County Board of Tax Adjustment (all of which have been abolished except in Allen County) to review, revise and reduce the budget, tax rate, and tax levy of each political subdivision in the county in order to limit the tax rate or limit the budget in the ensuing year, unless the County Council adopts an ordinance before July 2 of any year to prohibit the Capital Projects Board from reviewing, revising, and reducing the budget tax rate, and tax levy of each political subdivision in the county.

NOW, THEREFORE, BE IT ORDAINED by the County Council of Dubois County, Indiana, as follows:

Section 1. Ordinance No. 2007-02 is hereby adopted by the Dubois County Council to prohibit the Capital Projects Board from reviewing, revising and reducing the budget, tax rate, and tax levy of each political subdivision located in Dubois County, Indiana.

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

THIS ORDINANCE IS HEREBY ADOPTED by the County Council of Dubois County, Indiana, 19th day of November, 2007.

AYE

NAY

Jerry Hunsfeld
Debra L. Schroeder
Scott J. Kries
Gregory A. B. Bell
Mark A. Brescher
Don F. H. H. H.
Melvin Menke

ATTEST:

Martha A. Nehls
AUDITOR OF DUBOIS COUNTY,
INDIANA

ORDINANCE NO. 2007- 15AN ORDINANCE TO PROVIDE FOR APPLICATION
OF THE 2007 ADDITIONAL HOMESTEAD CREDIT TO
DELINQUENT PROPERTY TAXES

WHEREAS, Public Law 234-2007, Section 300, provides for an additional 2007 homestead credit to be paid as a refund as provided by that Public Law;

WHEREAS, Public Law 234-2007, Section 300, authorizes a county legislative body to adopt an ordinance providing that the amount of the refund shall be applied first against any delinquent property taxes owed in the county by the taxpayer;

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

1. The amount of the additional 2007 homestead credit determined for taxpayers in Dubois County shall be applied first against any delinquent property taxes owed in Dubois County by that taxpayer.
2. Prior to issuing a warrant for or authorizing disbursement by electronic transfer of an additional homestead credit refund, the county auditor and county treasurer shall search the records of delinquent property taxes and determine whether any taxpayer who is entitled to a homestead credit refund owes any delinquent property taxes.
3. After applying the additional 2007 homestead credit refund to any delinquent property taxes owed by the taxpayer, the remainder of the refund, if any, shall be paid or transmitted as provided by Public Law 234-2007.
4. This ordinance shall be effective from and following its passage.

Adopted this 4th day of December, 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. 2007-16

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, 2008 through April 15, 2008. 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 17, 2007

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

John G. Burger
John G. Burger

Randall D. Fleck
Randall D. Fleck

Lawrence M. Vollmer
Lawrence M. Vollmer

ATTEST:

Martha A. Wehr
Martha A. Wehr, Auditor

2008002268 MISC \$0.00
04/22/2008 08:45:58A 2 PGS
Brenda K. Schnarr
Dubois County Recorder IN
Recorded as Presented

ORDINANCE NO. 2008- |

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
DUBOIS COUNTY, INDIANA, VACATING A COUNTY HIGHWAY IN
HARBISON 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, that adequate reason exists for the vacation of
the following portion of County Highway located in Harbison
Township, of Dubois County, Indiana, to-wit:

All of that portion of Old County Road 175 East west of the west right-of-way line
of new County Road 175 East, the centerline of which Old County Road is described as
follows:

Part of the east half of the southeast quarter of Section Five (5), Township One (1)
South, Range Four (4) West, in Harbison Township, Dubois County, Indiana, being more
completely described as follows:

Commencing at a corner stone marking the southeast corner of the east half of the
southeast quarter of Section 5, Township 1 South, Range 4 West, thence north (the
east line of said half is assumed north-south) along the east line of said half a
distance of 1563.71 feet to a railroad spike in the centerline of County Road 175
East, thence south 52 degrees 46 minutes 35 seconds west along said centerline a
distance of 243.55 feet, thence continuing along said centerline south 52 degrees 43
minutes 00 second west a distance of 82.67 feet, thence south 55 degrees 18 minutes
20 seconds west a distance of 34.24 feet, thence south 62 degrees 27 minutes 40
seconds west a distance of 54.04 feet, thence south 79 degrees 56 minutes 20 seconds
west a distance of 58.99 feet, thence north 88 degrees 56 minutes 37 seconds west a
distance of 4.43 feet to the point of beginning of the road centerline of that
portion of County Road to be vacated and the intersection of the west right-of-way
of the new county road; thence along said centerline of the road to be vacated the
following ten (10) courses; (1.) thence north 88 degrees 56 minutes 37 seconds west
a distance of 291.29 feet; (2.) thence south 78 degrees 24 minutes 46 seconds west a
distance of 19.19 feet; (3.) thence south 65 degrees 35 minutes 22 seconds west a
distance of 92.52 feet; (4.) thence south 55 degrees 15 minutes 6 seconds west a
distance of 22.51 feet; (5.) thence south 28 degrees 34 minutes 23 seconds west a
distance of 15.03 feet; (6.) thence south 0 degree 17 minutes 8 seconds east a
distance of 19.56 feet; (7.) thence south 14 degrees 30 minutes 4 seconds east a
distance of 149.68 feet; (8.) thence south 9 degrees 14 minutes 58 seconds east a
distance of 39.39 feet; (9.) thence south 1 degree 6 minutes 6 seconds east a
distance of 31.98 feet; (10.) thence south 5 degrees 10 minutes 43 seconds west a
distance of 80.15 feet to the intersection of the centerline of the county road to
be vacated and the west right-of-way of the new county road.

That proper notice has been given of said hearing; that because of the
construction of new County Bridge #28 and new roadway thereto, no public
benefit is to be derived from the continued existence of said old public
roadway; that the adjacent property owners have petitioned the vacation of
said old highway; that the vacation of said old highway will not diminish
the value of any other real estate located in the vicinity thereof; that no

public utility is known to exist within said easement; and that no reason exists of the continued existence of said old highway and the same should now be vacated.

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

Section 3. That legal title in and to that real estate on either side of the described centerline of old highway shall be and is hereby vested in the respective adjacent property owner, as set forth in "Exhibit A" attached to the Petition to Vacate filed in this matter.

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

DULY PASSED AND ADOPTED THIS 21ST DAY OF April, 2008.

COMMISSIONERS OF DUBOIS COUNTY

John G. Burger
JOHN G. BURGER

Randall L. Fleck
RANDALL L. FLECK

Lawrence M. Vollmer
LAWRENCE M. VOLLMER

"I AFFIRM, UNDER THE PENALTIES FOR PERJURY,
THAT I HAVE TAKEN REASONABLE CARE TO
REDACT EACH SOCIAL SECURITY NUMBER IN
THIS DOCUMENT, UNLESS REQUIRED BY LAW."

NAME: Janet K. Sandelweck

ORDINANCE NO. 2008-02

AN ORDINANCE AMENDING ALL ORDINANCES
AMENDATORY THEREOF, BEING AN ORDINANCE
IMPOSING RESTRICTION UPON VEHICLES OPERATED
ON COUNTY ROADS - 650 WEST, 450 SOUTH, AND DUFF ROAD
SOUTHEAST - IN PATOKA 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 intersection, 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.

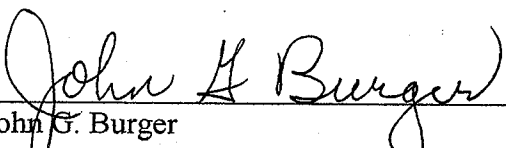
1. At the intersection of County Road 650 West, County Road 450 South, and Duff Road Southeast (PA18), there shall be no preferential highways and a stop sign shall be placed on the west approach of County Road 450 South with County Road 650 West, on the east approach of Duff Road Southeast with County Road 650 West, and on the north and south approaches of 650 West with County Road 450 South and Duff Road Southeast.

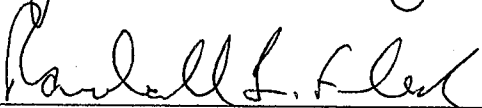
Violation of this ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance pertaining to preferential roads heretofore adopted by this Board of County Commissioners.

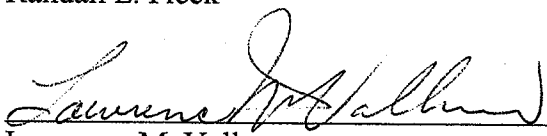
This Ordinance shall be effective from and following its passage and publication and upon completion of any other requirement required by law.

ADOPTED: June 23, 2008


BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA


John G. Burger


Randall L. Fleck


Lawrence M. Vollmer

ATTEST:


Janet L. Sendelweck, Auditor

2008005046 MISC \$0.00
08/19/2008 01:51:12P 2 PGS
Brenda K. Schnarr
Dubois County Recorder IN
Recorded as Presented

ORDINANCE NO. 2008- 3

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, VACATING A PUBLIC UTILITY AND DRAINAGE EASEMENT LOCATED BETWEEN LOTS NO. ONE (1) AND TWO (2) IN KILLARNEY ESTATES, A SUBDIVISION 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 August 4, 2008, that adequate reason exists for the vacation of the following public utility and drainage easement located in Dubois County, Indiana, to-wit:

A platted utility and drainage easement, being twenty (20) feet in width, the centerline of which begins on the Lot lines separating Lot Number One (1) and Lot Number Two (2) in Killarney Estates, a Subdivision in Madison Township, at a point 20 feet east of the southwest corner of said Lot Number One (1) and running thence South 89 degrees 48 minutes 27 seconds east along said boundary line 255.30 feet to a point 20 feet west of the southeast corner of said Lot Number One (1).

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 easement is not required or used as utility easement or for drainage purposes but is part of an open field, no public benefit is to be derived from the continued existence of said public easement; insofar as Petitioner owns Lots on both sides of said easement no adjacent property owner will be affected by the petitioned vacation of said easement; that the vacation of said easement 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 with 10 feet contributed each from Lot Number One (1) and Lot Number Two (2); 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 20 foot wide 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 is now located within the boundaries thereof.

Section 3. That legal title in and to said real estate shall not be affected by this vacation, but that easements rights by outside parties are hereby terminated.

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

DULY PASSED AND ADOPTED THIS 18TH DAY OF AUGUST, 2008.

BOARD OF COMMISSIONERS OF
DUBOIS COUNTY, INDIANA

John H. Burger
Randall G. Fland
Lawrence M. Hallman

ATTEST:

Janet H. Sandelweck
COUNTY AUDITOR

Duly entered this

AUG 19 2008
Janet H. Sandelweck
Auditor Dubois County

ORDINANCE NO. 2008-4

AN ORDINANCE CONCERNING
ABORTION PROVIDER PATIENT SAFETY

WHEREAS, the State of Indiana does not require abortion providers to have admitting privileges in any hospital; and,

WHEREAS, there exists a very real and distinct possibility of adverse medical outcomes for women having abortions; and,

WHEREAS, reasonable requirements for abortion providers in Dubois County, Indiana, to have admitting privileges at a hospital in Dubois County, Indiana, or a County adjacent to Dubois County, Indiana, is in the best interest of the residents of Dubois County, Indiana; and,

WHEREAS, the Dubois County Commissioners are empowered to protect the health and safety of the residents of Dubois County; and,

WHEREAS, the State of Indiana, pursuant to Indiana Code §16-18-2-1, has defined abortion as the termination of human pregnancy with an intention other than to produce a live birth or to remove a dead fetus; and,

WHEREAS, the State of Indiana has defined provisions for legally performing abortion procedures, pursuant to Indiana Code §16-34; and,

WHEREAS, the Dubois County Commissioners desire to adopt an ordinance to protect patient safety.

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

SECTION 1. ABORTION PROVIDER PATIENT SAFETY REQUIREMENTS-ADMITTING PRIVILEGES

A. A physician may not perform an abortion in Dubois County unless the physician has admitting privileges at a hospital located:

1. in Dubois County; or
2. in a county adjacent to Dubois County.

B. A physician who performs an abortion in Dubois County shall notify the patient of the location of the hospital at which the physician has admitting privileges and where the patient may receive follow-up care by the physician if complications arise.

SECTION 2. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of Dubois County.

UNANIMOUSLY ADOPTED BY THE BOARD OF COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THIS 18TH DAY OF AUGUST, 2008.

BOARD OF COMMISSIONERS OF
DUBOIS COUNTY, INDIANA

John H. Burger
Randall L. F. Cook
Lauren M. Hallman

ATTEST:

Janet A. Gendelweck
AUDITOR OF DUBOIS COUNTY, IN

ORDINANCE 2008-05

AN ORDINANCE ESTABLISHING A SPEED LIMIT
ON A PORTION OF CO. RD. 250 SOUTH 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,

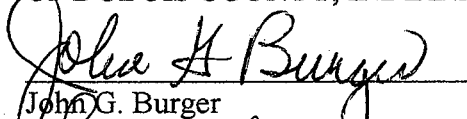
WHEREAS, As a result of study conducted and review made of road conditions at the following location, it has been determined that a more restrictive speed limit is required for the safety of the general public.

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

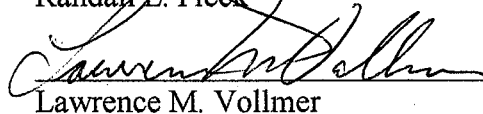
1. Motor vehicles operated on Co. Rd. 250 South from Old Huntingburg Road to Co. Rd. 200 South being a distance of approximately 1.01 miles, shall be restricted to a maximum speed of 35 miles per hour.
2. Each such public highway shall be posted for such maximum speed limit.
3. Violation of this Ordinance 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.
4. This Ordinance shall be effective from and following its passage and proper posting of the described speed limit.

ADOPTED: December 1, 2008

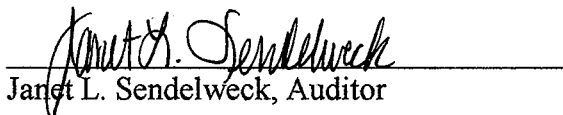
BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA


John G. Burger


Randall L. Fleck


Lawrence M. Vollmer

ATTEST:


Janet L. Sendelweck, Auditor

2008006850 MISC \$0.00
12/04/2008 01:13:01P 2 PGS
Brenda K. Schnarr
Dubois County Recorder IN
Recorded as Presented

ORDINANCE NO. 2008-07

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, VACATING A PUBLIC ALLEY LOCATED BETWEEN LOTS NO. THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), SEVENTEEN (17), EIGHTEEN (18), NINETEEN (19) AND TWENTY (20) TO THE TOWN OF CUZCO, IN COLUMBIA 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 November 3, 2008, that adequate reason exists for the vacation of the following public alley located in Dubois County, Indiana, to-wit:

A platted alley, being 16 feet in width, located in the W.H. Nicholson's First Addition to the Town of Cuzco, Indiana which alley is located along the south lines of Lots 13, 14, 15 and 16 in said Addition and along the north lines of Lots 18, 19 and 20 in said Addition and along the north line of an unplatted tract immediately east of said Lot #18, and which alley terminates at the west line of Lot #17 in said Addition.

It is the further finding of this Board that proper notice has been given by publication of said hearing and that notice by certified mail has been given; that the described alley is not required or used by the public, no public benefit is to be derived from the continued existence of said public alley; that insofar as Petitioners own Lots on both sides of said alley no adjacent property owner will be affected by the petitioned vacation of said alley; that the vacation of said 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 alley, but that should any such utility exist the same shall remain in place; 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 alley and the same should now be vacated.

Section 2. That the 16 foot wide public alley and any easement associated therewith as herein described shall be and is hereby vacated, subject however to a continuing perpetual easement as to any public utility which is now located within the boundaries thereof.

Section 3. That legal title in and to said vacated alley shall be vested in the owners of the adjacent Lots, to the north and south of said alley, subject to rights of existing utility easements.

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

DULY PASSED AND ADOPTED THIS 17TH DAY OF NOVEMBER, 2008.

BOARD OF COMMISSIONERS OF
DEBOIS COUNTY, INDIANA

John H. Burger
Randall G. Fisher
Lauren A. Kellum

ATTEST:

Janet A. Sendelweck
COUNTY AUDITOR

Duly entered this

DEC 04 2008
Janet A. Sendelweck
Auditor Dubois County

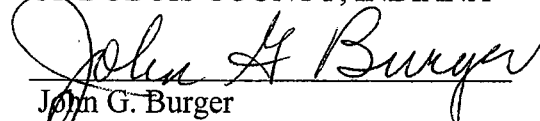
ORDINANCE NO. 2008-8

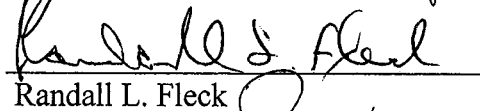
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS,
OF DUBOIS COUNTY, INDIANA, THAT:

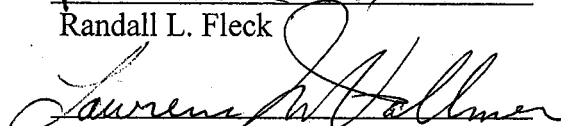
1. To prevent damage caused by excess weight on County Roads during periods of freeze and thaw, the Commissioners hereby establish a 10 ton gross load (weight) limit on all motor vehicles operated on County Roads within Dubois County, Indiana during the period from January 15, 2009 through April 15, 2009. 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 22, 2008

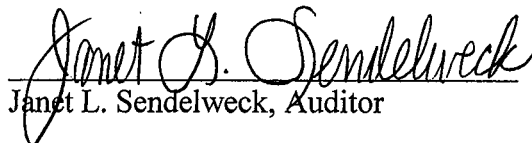
BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA


John G. Burger


Randall L. Fleck


Lawrence M. Vollmer

ATTEST:


Janet L. Sendelweck, Auditor