

May 11, 2010

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, May 11, 2010 with a quorum of all three (3) Commissioners in the Commissioners' Meeting Room on the first floor of the Hendricks County Government Center with the following in attendance:

David A. Whicker)	
Eric L. Wathen)	Hendricks County Board of Commissioners
Phyllis A. Palmer)	
Gregory E. Steuerwald		Hendricks County Attorney
Cinda Kattau		Hendricks County Auditor
David Gaston		Hendricks County Surveyor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
James McBryant		Administrator Cypress Manor
Bill Roche		Hendricks County Park Superintendent
Judith Wyeth		Secretary to the Commissioners

Commissioner Whicker opened the meeting and led the Pledge to the Flag in unison.

IN THE MATTER OF MINUTES

Commissioner Wathen moved to approve the minutes of the May 5, 2010 meeting, as corrected.

Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Wathen moved to approve claims #205249 thru 205539, #205540 thru 205563, #205564 thru 205581, #096090 thru 096209 and Direct Deposit #058568 thru 058954, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Commissioner Wathen presented the Estimated Difference in TIF Sharing for the 70 West Commerce Park and explained the two options. There was discussion of these options. It was the consensus of the Commissioners to approve option #2 - The revised TIF Revenue Sharing based upon 90/10 sharing of estimated Real Property TIF Revenues and no Personal Property Tax Revenues would be used.

John Ayers reported he would have a conference call later today regarding the Kite project at Exit 59 with representatives of INDOT and IDEC. Mr. Ayers reported construction has started on the Johnson & Johnson project at Exit 59.

Mike Graham stated he has had contact with the sewer contractor for the Love's Travel Stop at Ext 59.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers explained the overweight citations given by the Town of Plainfield to the Gradex truck drivers and stated this is chargeable on their CDL license. He stated he has asked representatives from the town to remove these citations as the road route to the Ronald Reagan Parkway was given preliminary approval by the town. He also asked the Commissioners to consider if they want to get involved. The Commissioners took the matter under advisement.

John Ayers reported construction is progressing on the bridge on the Ronald Reagan Parkway over the CSX tracks.

IN THE MATTER OF CYPRESS MANOR

James McBryant presented an application for residency at Cypress Manor for Jamie Patricia Weddle. He stated this individual was referred by the Healthy Families Office and placed at Cypress Manor under emergency by the Washington Township Trustee. Mr. McBryant gave a brief history of this individual

including medical and financing. Commissioner Whicker clarified Medicare is retroactive. Commissioner Palmer moved, that based on the recommendation of Mr. McBryant, to accept this lady as a resident at Cypress Manor. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Receipt was acknowledged of the Cypress Manor report for April 26 to May 7, 2010 from James McBryant, Cypress Manor Superintendent.

IN THE MATTER OF SURVEYOR'S OFFICE OPERATING ORDINANCE

Surveyor David Gaston explained the State Board of Accounts had encouraged him to establish a new line item to cover monies they receive from various permits that are used to fund the Hendricks County Surveyor's Office Operating Fund. He presented a draft ordinance and requested this ordinance be advertised for a public hearing. Attorney Greg Steuerwald clarified these funds have been used by the surveyor to operate his office and establishing this new a line is merely an accounting item. Auditor Cinda Kattau stated this is acceptable. Commissioner Wathen moved to advertise the Ordinance Establishing the Hendricks County Surveyor's Office Operating Fund for a public hearing on Tuesday, June 8, 2010 at 9:30 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF INSURANCE AUDIT

Mike Graham reported we have received a proposal from Insurance Audit to prepare an evaluation of our property, casualty and liability insurance coverage. He stated they propose a flat fee of \$9,800 or an hourly rate of \$250 with a not to exceed maximum of \$11,000 and the term of the agreement is for one year. He also stated it is a standard agreement approved by the Indiana Department of Insurance. Mr. Graham suggested we negotiate a shorter timeline to make sure it is done before the December insurance renewal. He stated there is not enough money in the Special Contract account so we would need to transfer funds from Machinery and Equipment if the Commissioners want to proceed. Attorney Greg Steuerwald stated he had not reviewed this proposal. Commissioner Wathen moved to approve the contract with Insurance Audit, contingent on counsel approval, that Mike Graham meets to work on a shorter time frame and that we agree to a flat fee of \$9,800 for this service. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

It was the consensus of the Commissioners for Mike Graham to draft a transfer letter to transfer funds in the Commissioners' budget from the Machinery and Equipment line to the Special Contracts line in the amount of \$9,800 and bring the letter to the next meeting.

IN THE MATTER OF CIRTA

Mike Graham reported he has contacted Ehren Bingaman, Executive Director, with CIRTA (Central Indiana Regional Transit Alliance), and he is agreeable to meeting with the leadership of Hendricks County to talk about public transit plans for the region. He suggested we invite the Council members, County Engineer John Ayres, County Planning Director Don Reitz and Planner Lesa Ternet. He also stated he had a conversation with the Town Mangers of Avon, Brownsburg, Danville and Avon and they would like to attend along with their Town Board Presidents. Mr. Graham suggested having the meeting later in the afternoon on a Tuesday or Wednesday because of Town Council meetings on Mondays and Thursdays and that it be held sometime mid

June. It was the consensus of the Commissioners to invite the suggested individuals for a meeting with CIRTA on Tuesday, June 8, 2010 at 4 PM in the Hendricks County Government Center.

IN THE MATTER OF CONSERVATION CLUB DAM

Mike Graham stated Sycamore Services and Hendricks Regional Health have agreed to the terms for Sycamore Services to buy four acres from Hendricks Regional Health. The lawyers are preparing the purchase agreement. He inquired if this is the appropriate time to direct Greg Steuerwald to begin discussion with Hendricks Regional Health about preparing the purchase agreement for the County to sell 3.29 acres of land to Hendricks Regional Health. It was the consensus of the Commissioners for Greg Steuerwald to contact Dennis Dawes, Hendricks Regional Health, and start preparing a purchase agreement for this parcel.

Mike Graham stated Banning Engineering prepared the evaluation for the Conservation Club dam and inquired if we should begin the discussion with Banning about the design work and about getting the project to the Drainage Board to establish it as a legal drain for the lake to have a maintenance assessment. There was discussion of the process for the Drainage Board to establish this as a legal drain. It was the consensus of the Commissioners for John Ayers to start the process with Banning Engineering about the design work to repair the Conservation Club Dam. A part of the design will be to determine the annual maintenance cost and to start the process for the Drainage Board to declare this as a legal drain.

IN THE MATTER OF ANIMAL CONTROL ADVISORY GROUP

Commissioner Wathen reported he had contacted Krista Tevebaugh of the Avon Veterinary Clinic to serve as the citizen appointee on the Animal Control Advisory Group and that she had accepted.

Commissioner Palmer stated she had contacted Dr. Steele of the Brownsburg Veterinary Clinic to serve as the veterinarian on the advisory group and he will get back with her.

There was discussion of appointing alternates to the Animal Control Advisory Group. It was the consensus of the Commissioners that no alternates be appointed to the Animal Control Advisory Group.

IN THE MATTER OF JOINT MEETING

Auditor Cinda Kattau reported Greg Guerrettaz, Financial Solutions Group, will not be ready for a joint meeting in June, but will in July and asked if the Commissioners would like to have a joint meeting with the Council on July 8, 2010 at 4 PM. It was the consensus of the Commissioners to hold the next joint meeting on Thursday, July 8, 2010 at 4 PM. Ms. Kattau stated she will take this information to the Council for their approval at their meeting on Thursday, May 13, 2010.

IN THE MATTER OF BRIDGE NO. 235

John Ayers presented an agreement for engineering services for the rehabilitation of Bridge No. 235, located on Stafford Road over Clark's Creek, from CrossRoad Engineering in the amount of, not to exceed, \$27,000. Commissioner Palmer moved to accept and sign the agreement with CrossRoad Engineering for Bridge No. 235, located on Stafford Road over Clark's Creek, as presented by the County Engineer. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIDGE NO. 48 AND BRIDGE NO. 53

John Ayers requested to send Requests for Qualifications (RFQ) for preliminary engineering for the replacement of Bridge No. 53, located on CR 100N, 0.4 miles east of CR 400E over Abner Creek, and for Bridge No. 48, located on CR 200N, .05 miles east of CR 1050E over the Little White Lick Creek. He stated they would send these RFQ to the engineering firms listed on the back two pages of the request, however, if anyone had additional firms to contact he would add these to the list. Mr. Ayers also stated these two bridge replacements could be awarded separately. He also stated these two bridges will not be federally funded, but will be locally funded and the due date would be June 4, 2010. Commissioner Wathen moved to approve advertising the RFQ for Bridge No. 48 and Bridge No. 53, as requested by the County Engineer. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CULVERTS

John Ayers presented a request for four culverts to be replaced and explained the types of replacements along with pictures of these four culverts: Culvert BR-036, located in Brown Township on CR 700N over Lily Creek; Culvert CL-003, located in Clay Township on CR 400S over a branch of East Fork Mill Creek; Culvert MA-042, located in Marion Township on CR 450W over Mill Creek; and WA-056, located in Washington Township on CR 151N over Branch of White Lick Creek. He stated these culverts will be funded from Cume Bridge and requested to use R. W. Armstrong to design two of these culverts and CrossRoad to design two, in accordance with the County's "on-call" agreement with these two firms. Commissioner Wathen asked about using R. W. Armstrong to design all four culverts since CrossRoad had recently been awarded other design work for the County. There was discussion of awarding the design of the culverts. Commissioner Wathen moved to approve R. W. Armstrong to do the design replacements for Culverts BR-036, Culvert CL-003, Culvert MA-042 and Culvert WA-056. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF DONNELLY HEIGHTS

John Ayers reported they had obtained all permits and they have the replacement pipe to resolve the drainage issues in Donnelly Heights and the contractor will begin next week on this project. He reported quotes had been received from two contractors to do this work instead of the highway crews and he will bring these quotes on this project to the Commissioners' meeting next week.

IN THE MATTER OF WELCH LAKE

John Ayers reported they are receiving quotes to resolve drainage issues in Welch Lake and he will bring them in for discussion when all quotes have been received.

IN THE MATTER OF BRIDGE INSPECTIONS

John Ayers stated they are working with United Consulting for a fee contract for bridge inspections and explained the changes in the process.

IN THE MATTER OF ENGINEERING STAFF

John Ayers explained changes in his staff due to the loss of Monte Shambaugh and stated they may look at using consultants for some of the projects that were formerly done by Mr. Shambaugh rather than hire a full-

time employee.

IN THE MATTER OF THE FORMER DANVILLE TOWN HALL

John Ayers stated Andy Hine of Arc Design, County staff and representatives from the Town of Danville had completed the structural and environmental inspection of the former Danville Town Hall on Friday, May 7, 2010 and they are working on a report of their findings to bring in to a future meeting.

IN THE MATTER OF DOWNTOWN DANVILLE PARTNERSHIP

Receipt was acknowledged of the May 6, 2010 letter from Downtown Danville Partnership relative to considering whether the Courthouse Square should be listed on the National Register of Historic Places and they will host a meeting at 7 PM on May 19 at the Unitarian Universalist Community Church in Danville. John Ayers stated both he and Kevin Cavanaugh, Facilities Manager, plan to attend this meeting.

IN THE MATTER OF THE HIGHLANDS

John Ayers stated as a follow-up of a complaint of the road conditions in the Highlands he had driven through the Highlands and reported there were some road issues, however, there were many roads in the County that are in worse condition.

IN THE MATTER OF COUNTY HISTORIAN

Auditor Cinda Kattau responded to discussion during the May 5, 2010 meeting relative to a Hendricks County Historian. She reported the Hendricks County Historical Society is no longer active and cannot make an appointment or recommendation, however, she had talked with several members of the Hendricks County Museum Board and they agreed John Parsons would be a good choice for Hendricks County Historian. Ms. Kattau also explained we submit the name to the Indiana County Historian Project and they would make the actual appointment. She also said anyone may submit a name. It was the consensus of the Commissioners that Cinda Kattau submit the name of John Parsons for Hendricks County Historian to the Indiana County Historian for their consideration.

IN THE MATTER OF COUNTY PARKS

Parks Director Bill Roche extended an invitation to everyone to attend the ribbon cutting ceremony and dedication for the historic iron bridge at McCloud Park on Friday, May 21, 2010. He stated the evening Bridge Boogaloo Celebration at McCloud Park is a fund raiser and they have tickets available at Mc Cloud Park and in his office.

Bill Roche explained the Hendricks County Parks Department is now ten years old and they are ready to do a second comprehensive plan for the parks. He further explained they will join with other County agencies on this comprehensive plan.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:

1. IDEM, Office of Water Quality, Facility Construction Section has received a sewer permit application for Countryside Meadows in Avon, IN.

Action needed/taken on the following:

1. Checks received and signed to the county:
 - a. Governmental Insurance Exchange \$1,082.17 Vehicle Damage

b. Comcast

\$7,281.72

Franchise Fee

2. Whicker signed vehicle titles for the following: None

3. Documents needing action: None

IN THE MATTER OF TORT CLAIM – SIMMONS

Receipt was acknowledged of a Tort Claim from Ken Nunn Law Office on behalf of Shanise Simmons for accident at the intersection of Raceway Road and CR 200N. It was noted the original has been hand delivered to Rich Jensen and a copy faxed to Greg Steuerwald.

IN THE MATTER OF TORT CLAIM – POWELL

Receipt was acknowledged of a Tort Claim from Ken Nunn Law Office on behalf of Danyal Powell, who was injured while a passenger in one of the four vehicles involved in a four-car rear-ended chain reaction at the intersection of Raceway Road and CR 200N. The original has been hand delivered to Rich Jensen and a copy faxed to Greg Steuerwald.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the weekly Human Resources report from Ron Love, Human Resources Director, from May 3 to May 7, 2010.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for May 1, 2010 to May 7, 2010 from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF PLANNING DEPARTMENT

Receipt was acknowledged of the Report of Collections for May 3, 2010 from Don Reitz, Planning Director.

IN THE MATTER OF ECONOMIC DEVELOPMENT COMMISISON

Commissioner Whicker announced the Economic Development Commission meeting is scheduled for Wednesday, May 12, 2010 at 9 AM in the Government Center to discuss the 70 West Commerce Park project.

IN THE MATTER OF POLICE MEMORIAL

Commissioner Whicker announced the Police Memorial will be held at noon on Friday, May 14, 2010 in the Court House Rotunda.

IN THE MATTER OF B&O TRAIL

Commissioner Whicker announced the ground breaking ceremony for the B&O Trail will take place today at 2:00 PM at SR 267 and the trail, just south of Brownsburg. John Ayers reported that Diana Virgil has made arrangements with Frazee’s Landscaping, on the west side of SR 267, for visitors to park there for the ceremony.

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 10:45 AM. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

David A. Whicker, President

Eric L. Wathen, Vice President

Phyllis A. Palmer, Member

ATTEST: _____
Judith Wyeth, Deputy Auditor

