

January 13, 2009

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, January 13, 2009, with a quorum of 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)	
Phyllis A. Palmer)	Hendricks County Board of Commissioners
Eric L. Wathen)	
Gregory E. Steuerwald		Hendricks County Attorney
Cinda Kattau		Hendricks County Auditor
David Galloway		Hendricks County Sheriff
Steve Wagner		Hendricks County Chief Deputy
Megan Morgan		Hendricks County Jail Matron
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
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 January 6, 2009, as corrected. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RECOGNITION OF DR. LLOYD TERRY

Commissioner Whicker welcomed Dr. Lloyd Terry and read the following proclamation:

P R O C L A M A T I O N
Recognizing
DR. LLOYD TERRY

BE IT REMEMBERED THAT: Dr. Lloyd Terry was born in Hendricks County, graduated from Amo High School, attended Indiana University and after being drafted in World War II he enrolled in the Naval Reserve where he finished his medical courses and graduated in 1945. He served four years as a Medical Officer in active duty in the Navy.

BE IT REMEMBERED THAT: Dr. Terry started in private medical practice in 1945 and in 1955 Dr. Robert Kirtley, Danville, joined his medical practice. Drs. Terry and Kirtley were among the first members of the active medical staff of Hendricks County Hospital when it opened to admit patients in 1963. They were appointed fulltime Emergency Room Physicians at the Hendricks County Hospital in 1976 where Dr. Terry served until 1983 when he retired.

BE IT ALSO REMEMBERED THAT: Dr. Terry has served as President of the Hospital Medical Staff and the Hendricks County Medical Society. In 1951 Dr. Terry was appointed Hendricks County Health Officer and served in that capacity until 1982. The Hendricks County Health Board was organized December 10, 1962. Dr. Terry has served as a member of this Board from 1982 until he resigned from the Board on December 31, 2008. He served as Chairman of the Board 1993-1995, 1996-1999 and 2000-03.

BE IT FURTHER REMEMBERED THAT: Dr. Terry received the 50 Years of Practice Award from Hendricks Regional Health in 1995, was named Senior Citizen of the Year by the Danville Chamber of Commerce in 1995 and on December 18, 2004 the Hendricks Regional Health and the Town of Danville dedicated a new north-south street adjacent to the hospital as Terry-Kirtley Drive. Dr. Terry worked to provide major preventive medicine and to resolve public health problems; he worked to establish commercial, industrial and residential wastewater and sewer

systems in the towns, which has resulted in improved health of county citizens. He talked to school classes about hygiene and immunization. He was awarded the Hulman Award for Outstanding Achievement in Public Health in 2008. Dr. Terry commented, "Public Health is not easily summarized, but the obvious benefits of public health work, like a safe food supply and the prevention of serious illness through childhood immunizations, are apparent in our everyday lives."

NOW, THEREFORE, IN CONSIDERATION: Of the above contributions to Hendricks County by Dr. Lloyd Terry, the Hendricks County Commissioners in their unanimous and inherent jurisdiction, by this Proclamation do hereby declare, recognize and honor Dr. Lloyd Terry for his many contributions to Hendricks County. This order entered January 13, 2009.

SEAL

(SIGNED)

**David A. Whicker, President
Phyllis A. Palmer, Vice President
Eric L. Wathen, Member**

Dr. Lloyd Terry expressed his appreciation to the County, to the Health Department Staff and the citizens of Hendricks County.

Commissioner Whicker thanked Dr. Terry for his many contributions to Hendricks County and invited everyone to a reception honoring Dr. Terry in the Government Center lounge.

The Commissioners recessed the Commissioners' meeting at 9:40/ AM to attend the reception for Dr. Terry.

Commissioner Whicker reconvened the Commissioners' meeting at 9:55 AM.

IN THE MATTER OF ORDINANCE NO. 2009-01

ANNUAL SEX OR VIOLENT OFFENDER REGISTRATION FEE, A SEX OR VIOLENT OFFENDER ADDRESS CHANGE FEE AND ESTABLISHING THE HENDRICKS COUNTY SEX OR VIOLENT OFFENDER ADMINISTRATION FUND

Commissioner Whicker announced he was opening the public hearing to establish an Ordinance for Annual sex or Violent Offender Registration Fee, a Sex or Violent Offender Address Change Fee and establishing the County Sex or Violent Offender

Administration Fund and had been duly advertised in *The Republican* and the *Hendricks County Flyer*. There was no public

input. Commissioner Palmer moved to close the public hearing for this ordinance. Commissioner Wathen seconded the motion

and the motion was approved unanimously 3-0-0. Commissioner Palmer moved to approve and establish Ordinance 2009-01 to

establish Annual Sex or Violent Offender Registration Fee, a Sex or Violent Offender Address Change Fee and establishing the

County Sex or Violent Offender Administration Fund, as presented. Commissioner Wathen seconded the motion. There was

discussion of this ordinance. Megan Morgan stated this ordinance now brings Hendricks County into compliance with the State

Statute. The motion was approved unanimously 3-0-0.

IN THE MATTER OF ORDINANCE NO. 2009-02

ESTABLISHING THE COLLECTION OF SHERIFF'S FEE FOR SHERIFF'S SALES

Commissioner Whicker announced he was opening the public hearing for An Ordinance Establishing the

Collection of the Sheriff's Fees for Sheriff's Sales and this had been duly advertised in *The Republican* and the *Hendricks County Flyer*. Megan Morgan stated this is an increase in fees to cover the Sheriff's fees for the Sheriff's monthly sales and will bring Hendricks County into compliance with the Indiana State law. There was no public input. Commissioner Wathen moved to close the public hearing for this ordinance. Commisioenr Palmer seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Wathen moved to adopt Ordinance No. 2009-02, An Ordinance Establishing the Collection of the Sheriff's Fees for Sheriff's Sales, as presented. Commissioner Palmer seconded the motion. There was discussion this was an increase in the fees and of the collection process. The motion was approved unanimously 3-0-0.

IN THE MATTER OF RESOLUTION 09-01
VACATION OF A PUBLIC STREET - CR 1000S

Commissioner Whicker opened the public hearing for Vacation of a Public Street and stated this public hearing had been duly advertised in both *The Republican* and the *Hendricks County Flyer*. John Ayers explained this is for the abandoned portion of CR 1000S, between SR 39 and I-70, which was abandoned when I-70 was built and is no longer used as it now goes nowhere. Mr. Ayers further advised this roadway will revert back to the property owner and the same property owner owns on both sides of this road. There was no public input. Commissioner Wathen moved to close the public hearing for this ordinance. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Palmer moved to approve and adopt Resolution 09-01 to Vacate a Public Street, the abandoned portion of CR 1000S between SR 39 and I-70. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve claims #190271 thru 190295, as presented. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Commissioner Whicker advised he talked to the President of the Monrovia Town Council and he will meet with him on Monday, January 26, 2009 at 7:30 PM in the Monrovia Town Hall to discuss Exit 59 wastewater.

John Ayers stated that Lauth has ceased working on Westpoint Business Park due to the winter weather.

John Ayers explained he will address the Regional Sewer Board on January 20, 2009 to discuss wetlands mitigation in the County owned lift station site, located south of I-70.

IN THE MATTER OF RONALD REAGAN PARKWAY

Commissioner Whicker acknowledged receipt of the January 2, 2009 letter from the Town Council of Avon advising they have taken the position that concrete material should be the preferred pavement for any new construction on Ronald Reagan Parkway and any reconstruction of the existing Parkway.

Commissioner Wathen stated he met with the new Avon Town Council President, Greg Zusan.

John Ayers advised he is continuing to look at possible street lights at the new intersections of Ronald Reagan Parkway and SR 136 and at CR 600N.

Tom Klein, Avon Town Manager, stated he was attending the meeting today for the discussion regarding the Ronald Reagan Parkway. Commissioner Whicker informed Mr. Klein the Commissioners would be discussing the use of concrete on the Ronald Reagan Parkway at the January 20, 2009 meeting.

Commissioner Wathen stated he would like to use the earmark for design of the next phase of the Ronald Reagan Parkway.

IN THE MATTER OF JUDICIAL CENTER

John Ayers presented a proposed list of members for the committee to work with the Judicial Center Study. There was discussion of increasing the number of "citizens" on the committee. Steve Craney, Banning Engineering, stated they are planning at least five meetings including visiting sites and will begin meeting in early February. It was the consensus of the Commissioners to appoint six citizens for this committee with each Commissioner appointing two and the other members by position of the following:

- | | | |
|----------------------------|---------------------------------|----------------------------------|
| 1 Commissioner | 1 Council Member | 1 Prosecutor Representative |
| 2 Judges | 1 Clerk's Office Representative | 1 Sheriff Representative |
| 1 Danville Town Manager | 1 Danville Town Council Member | 6 Citizens-at-large |
| 1 Bar Assoc Representative | County Staff | Banning Engineering / arc Design |

Each Commissioner will present the names of their two citizen representatives at the next meeting. Jerry Vornholt, commercial realtor, offered to serve on this study committee.

IN THE MATTER OF CREDIT CARD POLICY

Mike Graham responded to the Commissioners request to review the current Credit Card Policy and presented a copy of the current policy. There was discussion of this policy. It was the consensus of the Commissioners for Mike Graham to meet with Auditor Cinda Kattau, Treasurer Nancy Marsh and several department heads to discuss credit card usage.

IN THE MATTER OF BLACKBERRYS

Mike Graham presented a list of the registered BlackBerry users in the County in an excel list of the current 144

users. It was the consensus of the Commissioners for Mike Graham to talk with the Sheriff on the number of BlackBerry users in his department.

IN THE MATTER OF TOWN OF DANVILLE

Mike Graham stated that Gary Eakin, Danville Town Manager, has asked to meet with him on January 15, 2009 to talk about developing a Memorandum of Understanding (MOU) between Danville and the County on transferring the current Town Hall property to the County. Mr. Graham referenced in 2007 the Commissioners had a meeting with the Danville Town Board and asked Danville to make a financial commitment to keeping the judicial center downtown. He also advised that based upon that direction Danville has pursued finding another location for the Danville Town Hall and it appears they will be successful in using the old Danville Middle School building. It was the consensus of the Commissioners to proceed with the process of developing an MOU with The Town of Danville for this property.

IN THE MATTER OF 839 SOUTH TENNESSEE - BLUE HOUSE

Mike Graham gave an update on the little blue house, located at 839 South Tennessee in Danville, which is currently owned by the County, and is being considered as a possible location for a County health clinic. Mr. Graham stated that Jerry Vornholt, a commercial realtor, has a client who may be interested in purchasing this property and has asked if he could make a written offer. Mr. Vornholt stated he had a contractor that had expressed interest in purchasing this property. John Ayers questioned since this property was advertised for bids if it was necessary to re-advertise for bids. Greg Steuerwald stated he will check on this issue and bring back a recommendation.

IN THE MATTER OF HOMELAND SECURITY - GIS

Mike Graham stated on November 11, 2008 the Commissioners approved seeking a Homeland Security grant in the amount of \$14,894 which would help solve some of our addressing issues, however, a condition of the grant is that we provide the State a copy of our GIS information in exchange for the grant money. He further stated the Commissioners approved the concept at that time. Mr. Graham presented a Memorandum of Understanding (MOU) with the State Homeland Security Department to release our GIS information to the State and stated this MOU needs to be a part of the original grant application. It was the consensus of the Commissioners to execute this MOU which is a part of the Homeland Security grant.

IN THE MATTER OF ANIMAL CONTROL DONATIONS FUND

Mike Graham presented a memorandum to clarify the Commissioners expectations on the expenditures of the donation money received by the Animal Control Department. There was discussion of the memo and some suggestions were made. It was the consensus of the Commissioners for Mike Graham to make these changes and bring back for further consideration.

IN THE MATTER OF HIGHWAY FUNDING

John Ayers advised he had been notified by the State Highway Department that Hendricks County will receive 10% less funding from the State in 2009 than they did in 2008 as citizens are purchasing less gas.

IN THE MATTER OF GOVERNMENT CENTER GENERATOR

John Ayers explained the generator supplier discovered while checking the loads used to estimate the size of the natural gas generator needed for the Government Center that it had been underestimated and now estimates we need a 130 KVA, which is the next size larger size generator for an additional \$2,649. Mr. Ayers stated with this larger generator, wiring/installation, gas line installation and concrete pad/dock extension the total will be \$77,059, which is well under the original estimate of \$98,630.

Commissioner Wathen moved to switch to the larger generator for the Government Center, as recommended, for a total cost or

\$77,059. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COUNTY VEHICLE MAINTENANCE

John Ayers presented the two-year Agreement with Indy Tire Center for Preventative Maintenance & Repair of County-Owned Administrative Vehicles for 2009 and 2010, which was previously approved. It was the consensus of the Commissioners to sign this previously approved agreement with Indy Tire Center for maintenance of County vehicles. John Ayers also advised the alternative provider for County vehicle service would be Sullivan's Tires.

IN THE MATTER OF FAIRGROUNDS

John Ayers presented a letter from Leonard Rowe, Old Farm, expressing appreciation for the paving of the interior road at the Hendricks County 4-H Fairgrounds and Conference Complex.

IN THE MATTER OF MUSEUM AND COURTHOUSE SIDEWALKS

John Ayers responded he had checked on using mud jacking to repair the sidewalk and drive area of the Museum and the Courthouse and that it would not work for all the areas that needed to be repaired. He recommended tearing out and replacing the sidewalk and possibly using mud jacking for one area. It was the consensus of the Commissioners to tear out all the deteriorated sidewalk areas referenced by the County Engineer and replace.

IN THE MATTER OF 56TH STREET

John Ayers announced bids for reconstruction of 56th Street would be opened during the Commissioners' meeting on February 17, 2009.

IN THE MATTER OF SUPERIOR 3 - COPIER

Receipt was acknowledged of a request from Judge Love, Superior 3, for a new copier. We have been advised Superior 3 has only one copier in their department and it was one of the first Canon copiers that we purchased and that it is beginning to require a lot of maintenance and is no longer making good copies. They are requesting a replacement with the same capabilities of the one they have including a three-hole punch, stapler and one that is heavy duty and make copies fast. We have a price from Canyon Falls of \$8,180 that will be the same model copier ordered for the Prosecutor's office. Commissioner Whicker moved to purchase a new copier for Superior 3. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HEALTH BOARD – APPOINTMENTS

Cathy Grindstaff had advised that Diane Guljas was moving and would be unable to fulfill her term on the Hendricks County Health Board through December 31, 2009 and Dr. Lloyd Terry has resigned due to health reasons and would be unable to complete his term through December 31, 2011. Dr. David Hadley presented a list of five names from the Health Board for consideration of filling these two vacancies on the Board. There was discussion of other individuals to be considered for these two vacancies. Commissioner Wathen moved to appoint Linda Bledsoe, Democrat, as the citizen appointee to replace the unexpired term of Ms. Guljas through December 31, 2009. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker moved to appoint Dr. James Richardson, Republican, as the physician to replace Dr. Lloyd Terry for the unexpired term through December 31, 2011. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:

1. IDEM, Office of Air Quality, Steel Dynamics, permit decision available on the enclosed CD.
2. IDEM, Office of Air Quality, Milestone Contractors, Receipt of Air Permit Application
3. IDEM, Office of Water Quality, Town of Brownsburg wastewater treatment plant permit application to construct a CSO Storage Facility in Brownsburg.
4. IDEM, Office of Air Quality, ArvinMeritor, Notice of Decision-Approval.

5. Mick Hickman, Guilford Township Trustee has sent a copy of the 2009 Monthly Gross Income Guidelines for Township Assistance as approved by the Guilford Township Board.

Action needed/taken on the following:

1. Checks received and signed to the county:
2. Whicker signed vehicle titles for the following:
 - a. Sheriff's Department 2008 Crown Victoria (In the pond)

3. Documents needing action:

- a. Cincinnati Insurance Company Bond Cinda Kattau \$100,000.00

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the January 2 to January 6, 2009 Highway report from Martin Summers, Highway Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the January 5 – 9, 2009 Human Resources report from Ron Love, Human Resources Director.

IN THE MATTER OF VETERANS' REPORT

Receipt was acknowledged of the December 2008 monthly Veterans' Report from Lori Turpin, Veterans Service Officer.

Commissioner Wathen moved to adjourn the Commissioners' meeting at 11:30 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

David A. Whicker, President

Phyllis A. Palmer, Vice President

Eric L. Wathen, Member

ATTEST: _____
Judith Wyeth, Deputy Auditor

