

February 10, 2009

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, February 10, 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	)	
Dan Zielinski		Hendricks County Assistant County Attorney
Cinda Kattau		Hendricks County Auditor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Martin Summers		Hendricks County Highway Superintendent
Judith Wyeth		Secretary to the Commissioners

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

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IN THE MATTER OF MINUTES

Commissioner Wathen moved to approve the minutes of February 3, 2009 as corrected. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF CLAIMS

Commissioner Wathen moved to approve claims #190923 thru 191337, #191376 thru 191481 and #191507 thru 191513, as advertised. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF DUKE ENERGY

Bart Beal, Duke Energy, presented a check to the Hendricks County in the amount of \$25,000 for a back-up generator in the Government Center from Duke Energy Foundation. Mr. Beal stated this generator will benefit all of the citizens of Hendricks County. The Commissioners expressed their appreciation to Mr. Beal for the generosity of the Duke Energy Foundation to assist the County on this project.

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IN THE MATTER OF EXIT 59

Mike Graham reported Attorney Greg Steuerwald is working with Lauth Development and Veolia Water on an agreement to provide water service to the Lauth project and the Exit 59 area. Mr. Steuerwald plans to present the contract with all issues resolved at the February 17, 2009 meeting.

Attorney Dan Zielinski advised he had sent the deed to the trustees of the Cochran easement at Exit 59 and has received a response from them requesting two revisions. There was discussion to not limit the easement to only sewer and water utilities. It was the consensus of the Commissioners for Mr. Zielinski to continue working with the parties for this easement.

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IN THE MATTER OF RONALD REAGAN PARKWAY

Commissioner Whicker requested John Ayers to respond to the email from Indiana Association of Counties (IAC) regarding “shovel ready” projects and submit the Ronald Reagan Parkway.

Commissioner Wathen stated both the former and current Commissioners of INDOT are going to Washington DC with a list of Indiana projects and that the Ronald Reagan Parkway is one of the projects on this list for federal assistance from the stimulus package.

John Ayers advised he will be meeting with representatives of INDOT to discuss other road projects that could be included in the federal stimulus package.

John Ayers stated INDOT is studying the intersection of Ronald Reagan Parkway and US 136 to determine if a traffic signal is warranted at this location.

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IN THE MATTER OF JUDICIAL CENTER

John Ayers distributed the list of members of the Advisory Team for the Judicial Center Study – Phase 2 and advised the only appointment not yet confirmed was from the County Council and they will make that appointment during their regular scheduled meeting on Thursday, February 12, 2009. There was discussion of the expectations from this study team. It was the consensus of the Commissioners for this Advisory Team to bring the pros and cons and options, but not to bring only one recommendation.

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IN THE MATTER OF BLUE HOUSE – 839 SOUTH TENNESSEE STREET

John Ayers stated the County owned blue house, located at 839 South Tennessee Street in Danville, needs to be re-advertised for sale due to the time elapsed and he will bring the original legal ad to again be sent to local newspapers.

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IN THE MATTER OF HIGHWAY ASPHALT BIDS

John Ayers presented the bids received February 3, 2009 for asphalt materials, explained the prices, application and process. Mr. Ayers recommended awarding the bids to

HMA Asphalt all categories	Milestone Contractors, L.P.
Cold Mix Surface	Milestone Contractors and Rieth Riley ( in case of availability problems)
Liquid Asphalt for Chip and Seal	Milestone Contractors, L.P.
Liquid Asphalt for Patching	Asphalt Materials, Inc.

Commissioner Wathen moved to accept the recommendations of the County Engineer and to award the asphalts bids to Milestone for HMA asphalt all categories; Milestone and Rieth Riley for cold mix surface; Milestone for liquid asphalt for chip and seal; and Asphalt Materials, Inc. for liquid asphalt for patching. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF HIGHWAY SALT

Martin Summers reported they had received a shipment of 150 tons of Highway salt yesterday

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IN THE MATTER OF HIGHWAY TRUCKS - LEASE

Martin Summers advised that Wayne Marsh did not have the lease agreements to present from I-H for the four new Highway trucks as they had some issues with the lease agreement. He further advised that Mr. Marsh will bring the lease agreement when these issues have been resolved.

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IN THE MATTER OF BRIDGES

John Ayers stated he had been notified that bridges outside the area of the Metropolitan Planning Organization (MPO) could be eligible for federal assistance and he plans to apply for assistance for two Hendricks County bridges: Bridge No. 127, located on CR 475 W and Bridge No. 143, located on CR 700S.

John Ayers advised they are working to resolve some issues for the selection process for the Railroad Bridge No. 272 that is required for this federally funded bridge.

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IN THE MATTER OF PROSECUTOR'S ANNEX

John Ayers advised the owner of the property rented by the County for the Prosecutor's Annex has hired a contractor and they are working to resolve the water damage problems in this office space that he had reported last week. Mr. Ayers stated he will monitor this situation and will keep the Commissioners informed on this issue.

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## IN THE MATTER OF TILDEN TERRACE

John Ayers advised they have hired Banning Engineering to study the drainage issues in Tilden Terrace and they will bring a report to a meeting in February.

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## IN THE MATTER OF DONNELLY HEIGHTS

John Ayers stated he is working with the Surveyor's Office on obtaining the necessary permits to resolve the drainage problems in Donnelly Heights.

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## IN THE MATTER OF MULTIPLEX

John Ayers explained they were adding stone to the drive to the new Animal Control and Work Release Facility at the Multiplex as a result of the weather issues. Mr. Ayers advised he has requested United Consulting to design the permanent road that will better serve these two new buildings at the Multiplex and stated this new drive will be funded from cum cap.

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## IN THE MATTER OF SECURITY

Mike Graham advised he had contacted Sheriff David Galloway and the Sheriff is available to meet with the Commissioners to discuss security issues on February 17, 2009. It was the consensus of the Commissioners to set up a work session for Tuesday, February 17, 2009 at 1 PM in Room #2 of the Government Center to discuss security with Sheriff Galloway.

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## IN THE MATTER OF EMERGENCY MANAGEMENT ADVISORY COUNCIL

Mike Graham presented a memorandum relative to the composition of Emergency Management Advisory Council to try and help resolve the issues associated with the composition of the Advisory Council. He also summarized the various issues associated with the Advisory Council in hopes that it might help to develop a resolution. There was discussion of this advisory council. It was the consensus of the Commissioners for Commissioner Wathen to be the designee of the Commissioners to be their representative on the Emergency Management Advisory Council.

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## IN THE MATTER OF ANIMAL CONTROL

Receipt was acknowledged of the February 1, 2009 letter from Ellen Blacketer regarding an article in the *Hendricks County Humane Society Newsletter* about Saturday hours at the Animal Control. It was the consensus of the Commissioners to forward a copy of this letter to Mary Anne Lewis, Chief Animal Control officer.

There was discussion of forming an Animal Control Advisory Board.

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## IN THE MATTER OF LEGISLATION

Commissioner Palmer reported attending the meetings at the State House last week to discuss upcoming legislation of Senate Bill SJR to eliminate elected County officials and Senate Bill 506 for a single County executive.

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IN THE MATTER OF TOWN OF DANVILLE - BUILDINGS

Mike Graham reported he is working with Gary Eakin on the Memorandum of Understanding (MOU) with The Town of Danville regarding buildings and is preparing a response to the original MOU that was presented to the County

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IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:

1. IDEM permits Branch, Notice of Public Comment, Milestone Contractors, LP, Preliminary Findings Regarding a Significant Revision to a FESOP
2. Idem, Solid Waste Permits Section, Insignificant Modification proposal, Twin Bridges Recycling and Disposal Facility, Hendricks County.

**Action needed/taken on the following:**

1. Checks received and signed to the county:
    - a. Governmental Interinsurance Exchange      \$4,269.76      Vehicle Damage
  2. Whicker signed vehicle titles for the following:      None
  3. Documents needing action:      None
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IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the weekly Human Resources report for January 26 through February 6, 2009 from Ron Love, Human Resources Director.

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IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for January 31 to February 6, 2009 from Martin Summers, Highway Superintendent.

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IN THE MATTER OF ASSESSOR

Receipt was acknowledged of a copy of the February 3, 2009 letter from the Town Managers and Town Board Presidents of Avon, Brownsburg, Danville and Plainfield relative to the possible 2009 delayed settlement.

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IN THE MATTER OF JOINT MEETING

Commissioner Whicker announced the joint Commissioners and Council meeting is scheduled for 4:00 PM on Thursday, February 12, 2009 in the Government Center.

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Commissioner Palmer moved to adjourn the Commissioners' meeting at 10:30 AM.. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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David A. Whicker, President

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Phyllis A. Palmer, Vice President

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Eric L. Wathen, Member

ATTEST: \_\_\_\_\_  
Judith Wyeth, Deputy Auditor

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