

March 3, 2009

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday March 3, 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
Paul T. Hardin		Hendricks County Recorder
David Gaston		Hendricks County Surveyor
Mary Ann Lewis		Hendricks County Chief Animal Control Officer
John Ayers		Hendricks County Engineer
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 24, 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 #191985 thru 192299, #191953 thru 191978, #092323 thru 092471 and \Direct Deposit # 046636 thru 047028, as advertised. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF EXIT 59

Commissioner Whicker announced Valenti-Held is starting construction on the sewer lines at Exit 59.

Commissioner Wathen advised he had met with a prospective developer at Exit 59 and they should have their decision this week if this is the location for their project.

John Ayers reported he had attended a meeting hosted by American Structurepoint including INDOT and IDEM to discuss mutually beneficial use of the wetland mitigation site on Hendricks County Regional Sewer District's property at CR 1000 S. He further stated they are awaiting feedback regarding the willingness of IDEM and INDOT to cooperate on this joint venture.

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IN THE MATTER OF RONALD REAGAN PARKWAY

Commissioner Whicker announced the Hendricks County Regional Sewer Board will conduct a workshop to discuss sewer lines for the Ronald Reagan Parkway and I-74 on Tuesday, March 17, 2009 at 1:00 PM in Room #3 of the Government Center.

John Ayers advised he will be attending an MPO meeting to discuss the Ronald Reagan Parkway on

Monday, March 9, 2009.

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IN THE MATTER OF JUDICIAL CENTER

Steve Craney, Banning Engineering, gave a brief report on the first meeting of the Advisory Committee for the judicial center and stated their next meeting would be Thursday, April 9, 2009 at 7:00 P M in the Government Center.

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IN THE MATTER OF NEIL AND PAM PATTISON

Pam Pattison came forward to explain water and flooding issues at the home, located 4495 N CR 1000E. and stated flooding has been an ongoing problem, however, when the road was repaved it raised the road several inches causing additional flooding and also when Indianapolis Water installed a water line on neighboring property they cut/broke field tiles. Ms. Pattison presented pictures of standing water in their area. Neil Pattison explained the damaged culverts in his area and culverts that were too small to handle the heavy water flow in the area. John Ayers presented contours of the area and advised of some possible solutions. There was discussion of the flooding problems. The Commissioners directed John Ayers to continue to work to resolve flooding in this area.

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IN THE MATTER OF SUBSTANCE ABUSE TASK FORCE

Christi Patterson, Pittsboro Police Department, presented a report of the Substance Abuse Task Force and advised she will be coming to the Commissioners with a report after each grant period. She explained the grant list and the amount of funding. She further advised they had received federal grants in the amount of \$125,000 and had hired a new grant administrator and a SMART coordinator with this funding. Ms. Patterson explained several of their programs and stated all Hendricks County schools are currently participating in their program and are regularly attending their meetings. She extended an open invitation to everyone to attend the next meeting of the Substance Abuse Task Force on March 11, 2009 at Hendricks Regional Health.

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IN THE MATTER OF SENIOR SERVICES - SYCAMORE SERVICES – LINK

Receipt was acknowledged of the INDOT February 24, 2009 notification of Deobligation of Unspent Federal Transit Administration Funds. Beth Ann Leach, Director Senior Services, reported this was a \$7,500 grant they received in October to hire individuals to ride in the LINK vans to help those riders that needed assistance, however, they did not have time to implement this new program that late in the year and were unable to use the grant funding. She stated LINK Hendricks County does now have this program operating for 2009.

Beth Ann Leach gave a brief report on LINK funding and reported they had 62,421 rides in 2008. She also advised LINK could provide rides to residents in the work release center if the times match their schedule, but she had checked with the center and was advised there is no need at this time. She also stated they could possibly pick up workers at the airport with an agreement with Indy Go that they provide transportation for workers in the Indianapolis area to the airport and LINK take them to their place of employment in Hendricks County. Commissioner Wathen requested Mike Graham to send a letter to the judges advising them that LINK could provide transportation for residents of the work release center.

Marcia Lynch, Sycamore Services, advised the 5310 grant she had requested to be on the agenda does not need Commissioners' approval, however, she will be bringing a pre grant application for the Presidents' signature. It was the consensus of the Commissioners for the President to sign the pre grant application for Sycamore Services, when presented.

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IN THE MATTER OF ANIMAL CONTROL

Mary Anne Lewis presented her annual report on 2008 activities of Animal Control including budget, revenue, incoming animals, adoptions, number euthanized, warnings and bite cases. Commissioner Wathen made several suggestions for compiling figures on their activities.

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IN THE MATTER OF 56<sup>TH</sup> STREET

John Ayers presented a memo advising they had reviewed the bids received for the 56<sup>th</sup> Street reconstruction project and recommended the contract be awarded to Berns Construction as the lowest most responsive and responsible bidder, in the amount of \$9,849,417.94. Mr. Ayers also stated the Engineer' Estimate with contingency was \$13,713.597. Commissioner Palmer moved to award the bid for reconstruction of 56<sup>th</sup> Street to Berns Construction as the lowest, most responsive and responsible bidder, in the amount of \$9,849,417.94. Commissioner Whicker seconded the motion. Commissioner Wathen advised he planned to abstain on this vote due to possible conflict of interest or possible appearance of impropriety as his firm may supply concrete pipe to this project. Greg Steuerwald clarified this was neither a conflict of interest nor appearance of impropriety, however, he could abstain if he wished. The motion was approved 2-0-1 with Commissioners Palmer and Whicker voting aye and Commissioner Wathen abstaining. It was the consensus for the two voting Commissioners to sign the contract with Berns Construction.

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IN THE MATTER OF RIGHT-OF-WAY APPEAL - LEINWEBER

Greg Steuerwald advised he had reviewed the letter from Don Reitz, Planning Director, responding to Larry and Mable Leineweber inquiry during the February 24, 3009 meeting . The letter explained the process to appeal Hendricks County right-of-way dedication requirements and that he approved the letter. It was the consensus of the Commissioners for Mr. Reitz to forward this letter to Mr. and Mrs. Leineweber.

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Commissioner Wathen moved to recess the Commissioners' meeting for the Tech Board at 10:55 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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Commissioner Whicker opened the Tech Board at 10:56 AM.

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IN THE MATTER OF TECH BOARD

Commissioner Whicker announced that John Parsons has advised he has nothing to bring before the Tech Board this week.

Commissioner Palmer moved to adjourn the Tech Board at 10:57 AM. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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Commissioner Whicker reconvened the Commissioners' meeting at 10:58 AM.

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IN THE MATTER OF COURTHOUSE – CHILLER

John Ayers stated the chiller in the Courthouse needs to be replaced and requested to advertise Notice to Bidders for quotes on a replacement chiller. Commissioner Wathen moved to approve the publication of Notice to Bidders for a chiller at the Courthouse for bid opening on March 24, 2009. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF GORDON GRAHAM FIELD

John Ayers advised in the County long range plan it is recommended to abandon a road near the Gordon Graham Field. However, Mr. Ayers further advised that within a few years that area may be annexed into the Town of Danville and may no longer be a concern of the County.

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IN THE MATTER OF SR 39

John Ayers announced INDOT would be closing a portion of SR 39 south of Belleville to I-70 for repairs and the official detour will be on State roads, but the unofficial local detour will on County roads. Mr. Ayers further stated he will bring back an agreement from INDOT for reimbursement for damages on the unofficial detour route when INDOT corrects it.

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IN THE MATTER OF MERLIN MARTIN - ROAD VACATION

John Ayers advised he had been in contact with Merlin Martin and discussed right-of-way needed from him for a culvert replacement, and also for vacation of a portion of CR 675 S. He further advised that CR 675S is abandoned and Mr. Martin owns property on both sides of this road. Mr. Ayers stated he is working with Mr.

Martin on the process to vacate a road.

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IN THE MATTER OF HENDRICKS POWER

John Ayers reported he will meet with representatives of Hendricks Power on March 6, 2009 to work on new guidelines and policy for relocations of power poles and stated they currently are looking at these on a case by case basis.

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IN THE MATTER OF GOVERNMENT CENTER - GENERATOR

John Ayers announced the new backup generator at the Government Center in installed and they will test the wiring on March 9, 2009 and check the power and connection after 4 PM on that date.

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IN THE MATTER OF CR 100E - MAPLEWOOD

Commissioner Wathen referenced drainage issues on CR 100E near Maplewood and requested John Ayers and David Gaston meet with him on site to look at this problem. David Gaston responded he had met with the individual at this area and they are working with him to resolve drainage issues.

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IN THE MATTER OF CYPRESS MANOR

James McBryant requested the front sidewalk at Cypress Manor be replaced. John Ayers stated they will obtain estimates and bring back to the Commissioners for further consideration of this request.

James McBryant presented an application for residency for Kent Robinson and stated he met all the requirements. Commissioner Palmer moved to approve the individual on the admission form as requested by the Cypress Manor Superintendent. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF METROPOLITAN PLANNING ORGANIZATIN (MPO)

John Ayers presented an invoice from the Metropolitan Planning Organization (MPO) in the amount of \$15,375 and gave a brief history of this organization. There was discussion that Hendricks County should have a voting representative on the MPO. Commissioner Wathen moved to honor the MPO invoice in the amount of \$15,375 and for Mike Graham and John Ayers to draft a letter to the MPO requesting Hendricks County be granted voting representation. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers also explained there was a request for funding for rapid transit. It was the consensus of the Commissioners to refer the request for rapid transit funding to the Council for further consideration.

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IN THE MATTER OF RECORDER'S OFFICE - CONTRACT

Recorder Paul Hardin gave a brief history of the off-site storage of records in the Recorder's Office and stated he would like to change contracts for this storage to Iron Mountain and that he will fund the contract from his Perpetuation Fund. He further stated he has forwarded a copy of this Customer Agreement with Iron Mountain to Attorney Greg Steuerwald for his review, however, has not had a response. Commissioner Palmer moved to approve the contract with Iron Mountain for off-site storage of records in the Recorder's Office, subject to approval by legal counsel. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF EMPLOYEE HEALTH INSURANCE

Receipt was acknowledged of the contract from Ron Love, Human Resources Director for the Unified Group Services Plan Supervisor Agreement effective January 1, 2009 with the February 19, 2009 letter from H. J. Spier Company relative to the employee group health insurance plan. Mr. Love indicated this agreement had been approved by the Council, but requires the Commissioners' signatures. Commissioner Wathen moved to approve the Planned Supervisor Agreement with Unified Group Services, as presented and as previously approved. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF EQUIPMENT

Receipt was acknowledged of an earlier request from Elvin Cassity advising the desktop copier in the Custodial Office is no longer working and requesting a replacement copier for his old copier, which came from Highway. A quote was presented from CopyCo for a remanufactured desktop copier for \$425. It was also noted the fax in the jail has quit and Megan Morgan has requested that we obtain quotes for a replacement fax and has advised they have funds in their Sheriff's Commissary Fund that can be used to purchase this fax at no cost to the County. Commissioner Wathen moved to approve the purchase of a reconditioned copier from CopyCo for the Custodial Office in the amount of \$425.00 to be funded from the Commissioners' equipment line and to approve the Sheriff's purchase of a fax from CopyCo for the Jail with funding from the Sheriff's Commissary Fund. Commissioner Whicker seconded the motion and the motion was approved 2-1-0 with Commissioners Whicker and Wathen voting aye and Commissioner Palmer voting nay.

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IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:

1. IDEM, Office of Air Quality, Approval – Effective Immediately, OKI Systems Ltd.

2. Crown Castle International, Tier II report forms for telecommunication towers that are owned and operated by Crown Castle USA , Inc.

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

1. Checks received and signed to the county:
  - a. Governmental Interinsurance Exchange \$90.00 Vehicle Damage
  - b. Governmental Interinsurance Exchange \$4,753.72 Vehicle Damage
  - c. Avenue Broadband Communications, Inc. \$282.71
2. Whicker signed vehicle titles for the following: None
3. Documents needing action: None

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IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the Highway report for February 23 to February 27, 2009 from Martin Summers, Highway Superintendent.

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IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report of February 23 through February 27, 2009 from Ron Love, Human Resources Director.

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IN THE MATTER OF PLANNING

Receipt was acknowledged of the Planning and Building Department January Collections Report from Don Reitz, Planning Director.

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IN THE MATTER OF EXTENSION

Commissioner Palmer reported she had met with the Hendricks County Fair Board and Scott Foster, 4-H Educator, had expressed his appreciation to the Commissioners for the replacement copier at the Extension Office.

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IN THE MATTER OF PRESIDENT'S CLUB

Commissioner Palmer stated the proposed stimulus funding was discussed at the recent meeting of the Presidents' Club held at the Avon Community School Corporation.

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IN THE MATTER OF CR 600 S

There was discussion of debris near the bridge on CR 600S at Crystal Springs Bay. John Ayers advised he is obtaining quotes for removal of this debris before the rainy season.

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IN THE MATTER OF HOSPITAL BONDS

Mike Graham acknowledged an email from Bruce Donaldson, Barnes & Thornburg, advising the hospital bonds for Hendricks Regional Health have been sold and he will be on the March 10, 2009 agenda to give an updated report on the bonds. Mr. Donaldson also stated the bond closing is scheduled for March 12, 2009.

Commissioner Wathen moved to adjourn the Commissioners' meeting at 11:35 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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