

March 10, 2009

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, March 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	)	
Cinda Kattau		Hendricks County Auditor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
James McBryant		Administrator Cypress Manor
David Warren		Hendricks County Director Emergency Management
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 Palmer moved to approve the minutes of March 3, 2009 as corrected. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve Claims #192366 thru 192403, #192404 thru 192405, and #192406 thru 192410, as presented. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF EXIT 59

Commissioner Wathen stated he met with representatives from Paul Kite to discuss the Memorandum of Understanding (MOU) on their proposed Exit 59 project. He also announced Paul Kite representatives came before the Drainage Board this morning on their 70 West Commerce Park and will be at the Plan Commission meeting tonight on the road for this proposed project.

John Ayers advised INDOT has pulled the bid for letting of SR 39 improvements. He stated we should hear from the State on the wetlands issue and is waiting on word from them before moving forward.

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IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers advised the Metropolitan Planning Organization (MPO) prepared a list of possible projects for funding from the federal stimulus fund. He also explained a meeting he had attended regarding proposed roads and transit projects and explained the selection process. He advised we will know by March 25, 2009 the approved projects.

Commissioner Whicker announced the Regional Sewer Board will hold a Workshop in the Government

Center on Tuesday, March 17, 2009 at 1:00 PM to discuss servicing the Ronald Reagan Parkway and I-74 area.

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IN THE MATTER OF JUDICIAL CENTER

John Ayers stated the Advisory Committee for the Judicial Center plan several on-site visits to judicial centers in other counties on March 19 and 26, 2009. He also stated they will have their second meeting at 7:00 PM on Thursday, April 9, 2009.

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IN THE MATTER OF DONNELLY HEIGHTS

Kirby Myers, Donnelly Heights, inquired the status of drainage issues in Donnelly Heights. John Ayers stated they are working on the permit to submit to the DNR.

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IN THE MATTER OF HENDRICKS REGIONAL HEALTH - BONDS

Bruce Donaldson, Barnes & Thornburg, gave an up to date on the bonds for Hendricks Regional Health expansion and stated the bonds have been sold through the Indiana Bond Bank at 5% for 20-years with the closing scheduled for March 12, 2009. Mr. Donaldson stated he had several documents that required the approval and signatures of the Commissioners and advised that Greg Steuerwald has reviewed all documents presented. He presented the Addendum to Lease Between Hendricks County Hospital Association, Lessor, and Hendricks, County Indiana and the Board of Trustees of Hendricks County Hospital, Lessees, for execution. Commissioner Palmer moved to approve and sign the Addendum for the hospital bonds, as presented. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Palmer introduced Patti Jefferson as one of the five individuals recently appointed by the Commissioners to serve on the Hendricks County Hospital Association and stated she is currently serving as the Secretary of the Hendricks County Hospital Association.

Bruce Donaldson presented the Qualified Entity Continuing Disclosure Undertaking Agreement for execution. Commissioner Palmer moved to approve the Qualified Entity Continuing Disclosure Undertaking Agreement, as presented. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Bruce Donaldson presented the General Certificate of Hendricks County, Indiana, Hendricks County Hospital Association Lease Rental Revenue Bonds, Series, 2009 in the amount of \$75,000,000. Commissioner Wathen moved to approve the Hendricks County Hospital Association Lease Rental Revenue Bonds, Series, 2009 in the amount of \$75,000,000, as presented. Commissioner Palmer seconded the motion and the motion

was approved unanimously 3-0-0.

Bruce Donaldson presented the Qualified Entity Purchase Agreement, dated February 24, 2009 for the issuance of bonds for the expansion of Hendricks Regional Health, for execution. Commissioner Palmer moved to approve and sign the Qualified Entity Purchase Agreement, as presented. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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

Bruce Donaldson, Barnes & Thornburg, gave a brief report on the trip to Chicago to meet with representatives of the rating firms of Moody's and with Standard & Poer for the bond for reconstruction of CR 600 N (56<sup>th</sup> Street). He complimented the attending County elected officials on their presentation and stated they were very well received by both rating agencies and feels very positive about the County. He briefly explained the rating procedures. Auditor Cinda Kattau thanked Mr. Donaldson and Commissioner Wathen for representing the County and their contribution in this joint venture for Hendricks County. Commissioner Wathen reported the meetings went very well and he is expecting an email from Moody's on our bond rating.

John Ayers advised on March 24, 2008 he will meet with Berns Construction for a pre-construction meeting for the 56<sup>th</sup> Street reconstruction project. He further advised when the bonds are sold he will issue a Notice to Proceed for this project.

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IN THE MATTER OF EMERGENCY MANAGEMENT

David Warren introduced David Lynstall, and stated he is working with the Ham Radio volunteers to serve Hendricks County in the event of an emergency. Mr. Warren explained the tornado damage over the weekend in Southern Indiana. He also advised of the tornado siren test sis set for March 11, 2009 to make sure the tornado sirens are operating and stated this will be done in conjunction with the rest of the state. Commissioner Whicker advised that the tornado sirens are maintained by the entities and other sirens are maintained by the Communications Center.

David Warren presented a proclamation from Governor Mitch Daniels proclaiming the week of March 15 – 21, 2009 as Severe Weather Preparedness Week. It was the consensus of the Commissioners to accept and post this Severe Weather Preparedness Week weather proclamation from Governor Daniels.

There was discussion of a policy and training for employees in all County facilities in the event of a severe weather alert. It was the consensus of the Commissioners for Mike Graham and David Warren to work on this

policy.

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IN THE MATTER OF CYPRESS MANOR

James McBryant presented an application for Charles Robert Turner for residency in Cypress Manor. Mr. McBryant gave a brief history for this individual and recommended that he be accepted. Commissioner Palmer moved to accept Charles Robert Turner for residency in Cypress Manor, as recommended by James McBryant. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF EMPLOYEE EVALUATION

Mike Graham reported he had taken the instrument for the annual employee evaluation to Council and they recommended that this be adopted. Commissioner Palmer moved to adopt the annual employee evaluation instrument, as presented. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF CONSERVATION CLUB DAM

Mike Graham acknowledged receipt of a letter from DNR advising another inspection of the Conservation Club dam is required. He also stated he had received a note from Sycamore Services advising they no longer were interested in this property and was advised by Greg Steuerwald to contact Hendricks Regional Health to see if they have an interest in purchasing this property. John Ayers stated the previous dam inspection was conducted by Banning Engineering. It was the consensus of the Commissioners for John Ayers to contact Banning Engineering for another inspection of the Conservation Club dam.

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IN THE MATTER OF ANIMAL SHELTER

Receipt was acknowledged of a letter from Amy Mazzio, Treasurer of the Hendricks County Friends of the Shelter, requesting approval for the Friends of the Shelter to host a fund raiser on the grounds around the Animal Shelter on Saturday, April 25, 2009. Her letter explained this event would consist of vendors, rescue organizations and demonstrations as well as dissemination of information on the good work the County is doing in the new shelter. Mike Graham advised he has talked with Mary Anne Lewis, Chief Animal Control Officer, and she suggested they change the date to May 2 – May 3, 2009 to coincide with the same date of the National Animal Shelter Recognition. It was the consensus of the Commissioners to contact Ms. Mazzio and discuss changing the date for this event.

Mike Graham reported Mary Anne Lewis has advised that if they do this event, it will be over the weekend and she will need to pay overtime for her staff. She requested to fund this overtime from the Donation Fund. It

was the consensus of the Commissioners, based upon a recommendation from Auditor Cinda Kattau, that the Donations Fund could be spent for overtime pay.

John Ayers advised he has received quotes from three contractors to demolish and remove the old animal control facility:

K. A. Miner Excavating	\$ 6,300
LRC Quinn Corporation	\$11,925
Denney Excavating	\$ 7,950

Mr. Ayers stated Keith Minor was the lowest quote with \$6,300 and this could be funded from the Food and Beverage money allocated for the Shelter and from Cum Cap budget. Commissioner Wathen moved to approve K. A. Miner Excavating to demo the old animal control facility in the amount of \$6,300 and fund from Food and Beverage and cum cap. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF FIBER OPTIC

John Ayers explained they often have to work around the County' underground fiber optic and felt the County owned Fiber Optic Line should have some type of protection. He presented explanations and costs for two contracts:

- 1) Indiana Underground Plant Protection Service, Inc. (IUPPS): He stated this would make Hendricks County a voting member of the Indiana Underground Plant Protection Service and all contractors are required by law to notify IUPPS when any excavation takes place within 50 feet of our buried cable. This has a \$200 one-time fee and \$ .94 (ninety-four cents) per ticket monthly fee.
- 2) An annual Service Agreement with Northern Lights Locating Services is a per site location fee to locate Hendricks County fiber optic lines 1,500 feet maximum for \$65 each.

Mr. Ayers stated each is necessary to protect the Hendricks County underground fiber optic cable investment and recommended the County accept both contracts. Commissioner Wathen moved to approve the contract with Indiana Underground Plant Protection Service, Inc. (IUPPS) for locating underground utilities and authorize the President to sign the contract on behalf of the Commissioners. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0,

Commissioner Wathen moved to approve the contract with Northern Lights Locating Service to locate the County's underground fiber optic and authorize the President to sign on behalf of the Commissioners.. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF TREE REMOVAL

John Ayers presented estimates from Clossey Excavating to remove damaged trees from under bridges on CR 600S in the amount of \$9,800 and CR 300S in the amount of \$8,800. Commissioner Wathen recommended to submit these two bills for tree removal to the Hendricks County Solid Waste for payment from the Special Projects Fund. It was the consensus of the Commissioners to authorize the removal of the damaged trees and forward the bill to Solid Waste for consideration of payment from the Special Projects Fund.

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IN THE MATTER OF WORK RELEASE

John Ayers advised there is a balance remaining from the Work Release bond. There was discussion of possible uses of the balance. No decision was made at this time.

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IN THE MATTER OF CELL PHONES

Receipt was acknowledged of a bill from AT&T for two cell phones for the Surveyor's Office. It was noted the only contract approved by the Commissioners for cell phones is with Sprint/Nextel. It was the consensus of the Commissioners to obtain additional information on this phone bill.

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Commissioner Wathen left the meeting at 1 0:45 AM.

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IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following Correspondence:

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

1. Checks received and signed to the county:
  - a. Governmental Interinsurance Exchange      \$582.54.00      Vehicle Damage
  
2. Whicker signed vehicle titles for the following: None
  
3. Documents needing action:
  - a. Cincinnati Insurance Company                      Bond                      \$14,275.00  
    Haley Hendricks      Court Reporter; Hendricks Co. Superior Courts

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IN THE MATTER OF HIGHWAY

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

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IN THE MATTER OF VETERANS AFFAIRS

Receipt was acknowledged of the February 2009 Veterans' report from Lori Turpin, Veterans Affairs Officer.

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IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the March 2 through March 6, 2009 Human Resources report from Ron Love, Human Resources Director.

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IN THE MATTER OF PLANNING

Auditor Cinda Kattau reported Planning Director Don Reitz is working with C. P. Morgan to review funding from bonds for numerous subdivisions built by C. P. Morgan in Hendricks County.

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Commissioner Palmer moved to adjourn the Commissioners' meeting at 10:55 AM. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

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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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