

March 16, 2010

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, March 16, 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
John Ayers Hendricks County Engineer
Michael E. Graham Administrator to Commissioners
Don Reitz Hendricks County Planning Director
Judith Wyeth Secretary to the Commissioners

NOTE: Auditor Cinda Kattau did not attend this meeting.

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

IN THE MATTER OF MINUTES

Commissioner Palmer moved to approve the minutes of the March 9, 2010 meeting, as corrected. Commissioner Whicker seconded the motion and the motion was approved 2-0-1 with Commissioners Palmer and Whicker voting aye and Commissioner Wathen abstaining as he did not attend the March 9, 2010 meeting.

IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve Claims #203953 thru 203960, #203975 thru 203978. #204210 thru 204218, #203979 thru 204207, #095624 thru 095730 and Direct Deposit #056981 thru 057364, as presented.

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

IN THE MATTER OF EXIT 59

Commissioner Wathen explained the sewer project at Exit 59 is completed and stated the developer and representatives of American Structurepoint, Inc. (ASI) are going through the project for final close out.

Mike Graham reported there was no new information on the proposed water line at Exit 59.

Mike Graham stated the closing for Project Centerline at Exit 59 is schedule for later this month.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers reported Gradex will start clearing land and moving dirt on the Ronald Reagan Parkway south of US Highway 36. He also stated Crossroads has completed 100% of the survey for the Ronald Reagan Parkway and will be bringing preliminary plans. Commissioner Wathen inquired if a walking trail will be included on the bridge over the CSX tracks on the Ronald Reagan Parkway. John Ayers responded they will work on this in the plans.

IN THE MATTER OF EMPLOYEE HEALTH INSURANCE PLAN

Jeff Fox, H. J. Spier Company, Inc., presented Plan Document Amendment #3 Hendricks County Government for the Hendricks County Employee Health Insurance that was effective January 1, 2010 and stated this is a modification to the medical plan. He presented a handout of the benefit changes and explained these changes, some of which were created by legislative changes. Commissioner Whicker clarified this amendment was presented to the Insurance Committee and to the Council and was approved by both. Commissioner Wathen moved to approve Plan Document Amendment #3 Hendricks County Government 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.

Mike Graham stated on February 23, 2010 the Commissioners approved an amendment to the County's health insurance plan that allowed the purchase of a Transplant Policy from Zurich Transplant and stated Jeff Fox has

provided some additional information that illustrates why this policy purchase was the right decision. He explained we received an incentive from our stop loss carrier because they agreed to discount our premium by \$12,840 if we purchase a transplant policy at a cost of \$30,055. Mr. Graham stated on average across the nation the rate of transplant is 16.2 per 100,000 lives and based on the number of lives covered by Hendricks County, there could be one transplant every seven years. He also stated that based upon our premium, it would take greater than 8 years of premium to cover the cost of a simple adult kidney transplant (not considering the stop loss premium discount) and presented a spreadsheet that illustrates the increase.

Jeff Fox stated the clinic is open and running. Commissioner Palmer stated she had visited the clinic at Hendricks Regional Health and had a very good first time visit.

IN THE MATTER OF ORDINANCE NO. 2010-11
CR 100S IN PARKS AT PRESTWICK SUBDIVISION SPEED LIMIT

Commissioner Whicker announced a Public Hearing has been duly advertised for 9:30 AM for an Ordinance for a Speed Limit on CR 100S in Parks at Prestwick Subdivision.

Commissioner Palmer left the meeting in order to avoid a possible conflict of interest.

Commissioner Whicker stated it was now 9:45 AM. John Ayers explained this request was made by the Safety Committee of the Homeowners Association of Parks at Prestwick to lower the speed limit on CR 100S in this subdivision from 30 mph to 25 mph due to concerns for the safety of the citizens that live in this development. Commissioner Whicker opened the public hearing for this speed limit ordinance and asked if anyone had any comments on this proposed speed limit ordinance. Fred Palmer, Chairman of the Safety Committee and a resident of Parks at Prestwick, gave a brief history of speeding and traffic in this subdivision. He stated the homeowners are willing to hire off-duty policeman to help enforce the speed limit in this subdivision as this is a residential area with children playing in their yards. Mr. Palmer introduced the developer of Parks at Prestwick, David Helm. Mr. Helm stated he supported the reduction of the speed limit in Parks at Prestwick in the interest of the safety of the residents of this development. Mr. Palmer introduced Jenny Considine, a resident at Parks of Prestwick. Ms. Considine expressed safety concerns for this development and encouraged the reduction of the speed limit in Parks at Prestwick. Commissioner Whicker closed the public hearing at 9:55 AM. Commissioner Wathen moved to approve the reduction of the speed limit on CR 100S in Parks at Prestwick from 30 mph to 25 mph as Ordinance No. 2010-11. Commissioner Whicker inquired if an effective date should be established. John Ayers responded the speed limit would become effective as soon as the speed limit signs were posted. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

Fred Palmer, Chairman of the Safety Committee in Parks at Prestwick, referenced his written request to change the name of a portion of CR 100S located between CR 525E and Foxboro Drive to Foxboro Drive and explained the reasons this name change would be beneficial to the residents of Parks at Prestwick would be to identify the residential nature of the community, increase curb appeal in marketing homes and add property value for the 35 homes located on this portion of CR 100S. He provided maps identifying the portion of the road that is requested in the name change and stated this name change would identify this as a residential community and make the public

relate to the reduced speed. There was discussion of the changes involved with a street name. Don Reitz, Planning Director, explained the 911 changes required in addressing when street names are changed. Mr. Palmer further advised they had contacted most of the property owners and they all concurred with the name change. It was the consensus of the Commissioners to take this request for a street name change under advisement and bring back to the April 6, 2010 meeting.

Commissioner Palmer returned to the meeting.

IN THE MATTER OF LINK HENDRICKS COUNTY

Marcia Lynch, Director of Community Relations for Sycamore Services, presented and explained the three Notifications of Deobligation of Unspent Federal Transit Administration Funds that were received from INDOT relative to Link Hendricks County:

- 2009 JARC Operating Grant 09JARV430 in the amount of \$17,500 provides transportation for individuals to have access to jobs. She stated these funds were not utilized this year, therefore, they did not reapply for this grant;
- 2009 JARC Operating Grant 09WDRA430 in the amount of \$19,798 is a Federal grant to provide special aids to assist riders on Link, however, they did not have sufficient numbers requiring this assistance and they will not apply for this grant this year; and
- 2009 JARC Operating Grant 18027430 in the amount of \$23,593 is a grant operating contract and due to their very conservative management they did not need all of these funds

Commissioner Palmer moved to approve the Deobligation of Unspent Federal Transit Administration Funds 2009 JARC Operating Grant 09JARV430 in the amount of \$17,500, 2009 JARC Operating Grant 09WDRA430 in the amount of \$19,798 and 2009 JARC Operating Grant 18027430 in the amount of \$23,593 and authorize the President to sign the three documents on behalf of the Commissioners. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Marcia Lynch, Director of Community Relations for Sycamore Services, explained the Tier 1 Stimulus Grant for construction of the bus garage for Link was previously approved and signed by the Commissioners; however, there was an error in the calculation of the original grant. She presented the Indiana Department of Transportation Section 5311 Grant Agreement for ARRA Funded Projects – Tier II EDS # A249-10- 321072.(Governmental Authority) Amended Agreement No. 1 in the amount of \$515,000. Commissioner Palmer moved to approve and authorize the President to sign the Section 5311 Grant Agreement for ARRA Funded Projects – Tier II EDS # A249-10- 321072.(Governmental Authority) Amended Agreement No. 1 in the amount of \$515,000 from INDOT on behalf of the Commissioners. Commissioner Whicker seconded the motion was approved 2-1-0 with Commissioners Palmer and Whicker voting aye and Commissioner Wathen voting nay.

Marcia Lynch, Director of Community Relations for Sycamore Services, explained Link has received funds to purchase ten new vehicles. She stated the title work for four vehicles was previously approved and executed and presented the title work for the final six vehicles. Ms. Lynch also presented a Vehicle Lease Agreement between the Hendricks County Commissioners and Sycamore Rehabilitation Services – Link Hendricks County for \$1.00 per vehicle, per year for the Link vehicles. It was noted Greg Steuerwald had reviewed this lease. Commissioner Palmer moved to approve and authorize the President to sign the title work for the six new Link vehicles and to approve and authorize the President to sign the vehicle Lease Agreement with Link Hendricks County. Commissioner Wathen

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

IN THE MATTER OF BOND FORFEITURE FOR EATON EXCAVATING

Commissioner Whicker stated the bond forfeiture request from AMACO Insurance for Eaton Excavating was continued to this week in order for Commissioner Wathen to be involved. Don Reitz presented this request for performance bond forfeiture from AMCO Insurance Company for Eaton Excavating and explained this request, which is now within the Town of Avon along with the Performance Bond Forfeiture Notice. He explained when this bond in the amount of \$33,000 was signed on August 25, 1999 for the Beechwood Farms Subdivision this development was within Hendricks County jurisdiction, however, this subdivision has since been annexed into the Town of Avon and is now within their jurisdiction. Mr. Reitz stated the County had turned the bond over to Avon when it was annexed and now the AMCO Insurance Company has advised this cannot be done. Ryan Cannon from the Town of Avon gave a brief history of the numerous attempts the Town of Avon had made to resolve this issue with Mr. Eaton for this subdivision. Mr. Cannon recommended calling the bond for \$33,000 and stated these funds will be used to repair and resurface the deteriorating roads in this development. Greg Steuerwald explained the bond originally was issued in Hendricks County and that Avon cannot call this bond. Commissioner Palmer moved to approve the Performance Bond Forfeiture Notice from AMCO Insurance Company for principal Michael P. Eaton, d.ba, Eaton Excavating for Bond No.: BDA 7900590030 and authorize the President to sign on behalf of the Commissioners. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF DANVILLE PARTNERSHIP

Mike Graham reported that in 2007 there was an organization established to promote the redevelopment of downtown Danville and they asked for a representative of the County to serve on the committee. The Commissioners appointed Mike Graham. He stated for about one year he regularly attended their meetings and then stopped going as the primary focus of the group is promotional activities including such items as lunchtime concerts, geranium festival, fundraising and creating a downtown logo and these items are all out of his area of experience. Mr. Graham requested permission to seek another County employee who may have an interest in these activities and at the same time represent the County. There was discussion of an appointee. It was the consensus of the Commissioners to appoint Don Reitz to represent Hendricks County Government on the Danville Partnership.

IN THE MATTER OF DANVILLE TOWN HALL

Mike Graham stated he had met with Andy Hine with Arc Design about doing an evaluation of the building conditions of the old Danville Town Hall and indicated he would be interested in doing it. Mr. Hine is aware the County is concerned about cost and will provide a written proposal the second week in April.

IN THE MATTER OF PROLIANCE

Mike Graham presented the ProLiance Energy Natural Gas Sales and Service Agreement Contract Number: 42261 for the Hendricks County Government Center and the ProLiance Energy natural Gas Sales and Service Agreement Contract Number: 42262 for the Hendricks County Jail. He stated the telephone lines needed to monitor the gas meters at the Jail and Government Center are to be installed the week of March 15th. Commissioner Palmer moved to approve ProLiance Agreement Contract Number: 42261 for the Government Center and ProLiance Agreement

Contract Number: 42262 for the Jail for energy savings. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF INDIANA ECONOMIC DEVELOPMENT CORPORATION
INDUSTRIAL GRANT AGREEMENT

Mike Graham presented the Indiana Economic Development Corporation Industrial Grant Agreement relative to Project I.D: 4014419 / Grant I.D. IDFG-08-911 in the amount of \$300,000 to be used by Kite for the J & J project at Exit 59. He stated this grant requires the reporting of the new jobs that are created and Cinda Kelley, Executive Director Economic Development Partnership, has agreed to prepare the reports. Commissioner Wathen moved to approve the Indiana Economic Development Corporation Industrial Grant Agreement for the J & J project at Exit 59 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.

IN THE MATTER OF INDIANAPOLIS INTERNATIONAL AIRPORT

Al Bennett, Hendricks County Representative on the Indianapolis International Airport Authority Board, presented several handouts including the Airport Property Land Use & Development Strategy Board, and IND Air Service 2009 Performance & 2010 Projections. He gave an update on activity at the airport including monthly enplanements, airline monthly seat capacity for both inbound and outbound, monthly cargo landed weights and the monthly passenger landed weights. Mr. Bennett also explained Landrum & Brown has been selected to do the study of the primary goals to address on the land use and development strategy. He stated the economy has had an effect on businesses located on the concourses and that the restaurant "Friday's" is closing, however, they have had ten other restaurants express an interest in moving into their space. He also stated 3,000 acres of the airport property is within Hendricks County and the airport has authorized 200 acres to be used for a Hendricks County Park. He stated they are developing plans for the re-use of the property at the old terminal site.

Al Bennett announced he had been appointed by the Indianapolis Airport Authority to serve as a member on the Foreign Trade Authority.

IN THE MATTER OF ANIMAL CONTROL ADVISORY GROUP

Mike Graham presented a list of recommendations on the formation of an advisory group to the Animal Control Department based upon previous discussions. The list included recommendations for the name, guidelines and membership. There was discussion of the recommendations. There was also discussion this document should include wordage to say the Commissioners will decide if this organization continues; keep "advisory" in the title as this group will advise, but will have no authority and state that all appointees will serve at the will and pleasure of the Commissioners. Greg Steuerwald stated this organization document could be put in a resolution form. It was the consensus of the Commissioners for Greg Steuerwald to prepare these recommendations into a resolution form and bring to the March 23, 2010 meeting.

IN THE MATTER OF RAILS TO TRAILS

John Ayers presented the Indiana Transportation Enhancement (TE) Program 2009 Application for the Rails to Trails next phase of the B&O Trail in the amount of \$830,000. He explained the intent is to transfer existing

TE funds to a future section of the Trail. Commissioner Wathen moved to approve the Indiana Transportation Enhancement Program 2009 application and authorize the President to sign on behalf of the Commissioners. Hall Virgil, Brownsburg, stated this is a stimulus amount and they may have to use these TE funds to complete the stimulus if the bids are over the estimate. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BID INSPECTIONS

John Ayers presented the list of consultants that submitted proposals for Hendricks County bridge inspections for 2010 through 2012 as follows:

American Structurepoint	Armstrong, RW	Beam, Longest and Neff
Burroughs, Floyd	Christian, Stephen	DLZ
Janassen & Spaans	United Consulting	USI Consultants

Mr. Ayers stated his staff will review these nine proposals and bring a recommendation to a future meeting.

IN THE MATTER OF ROCKIES EXPRESS PIPELINE (REX)

John Ayers reported he met on March 15, 2010 with representatives of the Rockies Express Pipeline (REX) to discuss and clarify the roads damaged when their pipeline was installed through southern Hendricks County. He stated they will negotiate the amount of road repair and the road segments that need to be replaced.

IN THE MATTER OF EAST CAMPUS ROAD

John Ayers stated they were working with the contractor and utility companies to relocate some of the utility lines for the new road at the East Campus. He stated they have completed the asbestos study of the storage building and found it was negative and the contractor will now demolish this storage building.

IN THE MATTER OF RAPID TRANSIT

Commissioner Palmer announced there would be a meeting at 7 PM tonight at the Avon Town Hall to discuss rapid transit. Commissioner Wathen and Mike Graham stated they plan to attend.

IN THE MATTER OF THE ELECTION

Receipt was acknowledged of a call from Laura Herzog, Election Supervisor, stating she had a call from a candidate stating if they cannot place signs at the Government Center during the absentee voting time of April 5 to noon on May 3, 2010 could they have candidates, or their representatives, stand at the exterior door to greet voters and hand out campaign literature. She stated they anticipate a much smaller voter turnout for this 2010 election than the 2008 election and reported the average number of absentee voters that voted at the Government Center for the primary election in 2002, 2004 and 2006 was 983. Ms. Herzog also stated this year they plan to setup five voting machines in the hall outside their office for absentee voting, whereas they had setup ten voting machines for the 2008 primary. There was discussion of this request. It was the consensus of the Commissioners to take no action on this request.

IN THE MATTER OF FACILITIES MANAGER

Commissioner Palmer reported the list of applicants for Facilities Manager had been reduced to five. She stated they interviewed three candidates last week and will interview the final two today.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:

