

April 14, 2009

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, April 14, 2009, with a quorum of two (2) 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
Tyler Starkey		Hendricks County Acting Attorney
Cinda Kattau		Hendricks County Auditor
Cindy Spence		Hendricks County clerk
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Dr. David Hadley		Hendricks County Health Director
Monica Smith		Hendricks County Director of Health Nursing
Judith Wyeth		Secretary to the Commissioners

NOTE: Commissioner Wathen was making a presentation at Purdue University and arrived at the meeting at 11:05 AM.

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 April 7, 2009 as corrected. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve Claims #193501 thru 193514, #193515 thru 193822, #092760 thru 092896 and direct deposit #047809 thru 048190, as presented. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF EXIT 59

Mike Graham reported he contacted the Kite representatives relative to their Exit 59 project and advised them the Commissioners would agree to allow the EDU fees to be assessed on each project and not up front, agreed to delay some CR 1000S improvements to the second phase and reduce the initial fire department contribution to \$600,000. He further advised that the Kite representatives appreciated the reduction and agreed to the 80% - 20% concept, but countered by asking for the bonds to be 25 years rather than 20 years. The County's financial advisor, Greg Guerrettaz (FSG), has advised because there is so much speculation associated with a TIF that it is prudent to hold the bonds to 20 years. It was the consensus of the Commissioners to add discussion about the length of the bonds for the Kite MOU to the April 21, 2009 agenda.

Mike Graham advised of the complications for the permit approval for the Love's Truck Stop at Exit 59 from IDEM and advised he will check further with IDEM to determine if the Love's Truck Stop plans are acceptable.

John Ayers stated the Planning Staff has the review of Love's Truck Stop scheduled for the Administrative Committee on Wednesday, April 15, 2009.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers advised the Tech and Policy Boards to the Metropolitan Planning Organization (MPO) met last week and approved the initial funding for the portion of the Ronald Reagan Parkway from US 36 south to CR 100S from 2010 funds. He further advised this will be voted on by the MPO on May 6, 2009 and explained this will be a federally funded project of 80/20. He also stated we have some options to fund the County's portion of 20%.

There was discussion of concrete versus asphalt paving or concrete paving for this portion of the road. The Town of Avon has requested concrete paving. John Ayers stated he will send the memo circulated in January discussing paving options to refresh everyone's memory on the issues regarding concrete or paving that was sent to the Town of Avon. It was the consensus of the Commissioners for Commissioner Wathen to talk with the Town of Avon on the concrete paving design change and clarify with Avon if they agree on the change that they will fund the change.

Mike Graham reported on the workshop held on April 7, 2009 for economic development along the Ronald Reagan Parkway and inquired if a policy or resolution for using EDIT funds would be necessary for this economic development. It was the consensus of the Commissioners for Mike Graham to draft a policy for use of EDIT funds for Economic Development.

Commissioner Palmer commended John Ayers, Mike Graham and Commissioner Wathen for their work on reaching this point on the Ronald Reagan Parkway.

IN THE MATTER OF JUDICIAL STUDY

John Ayers reported the site visits to other county judicial centers had been completed and the Judicial Advisory Committee held their second meeting last week. Commissioner Palmer stated the Committee had toured the Hendricks County Courthouse prior to their meeting last week with 100% in attendance. Steve Craney, Banning Engineering, stated the National Center for State Courts will be interviewing in the County next week.

IN THE MATTER OF WATER ORDINANCE FOR DROUGHT

Jo Lynn Garing, Director of Communications Indianapolis Water Department of Waterworks, gave a presentation relative to an ordinance adopted by the City of Indianapolis for water conservation in the event of a drought. She advised they will be asking the donut counties to also adopt this water conservation ordinance and presented a copy of this Indianapolis ordinance for consideration. There was discussion of the number of Indianapolis Water/Veolia

customers within the towns of Hendricks County and the number of customers in the unincorporated areas of Hendricks County. Ms. Garing stated the Town of Brownsburg has adopted a water ordinance for water conservation because Brownsburg has had experience with a drought. She stressed the need for making everyone aware that water is a very precious resource.

Commissioner Palmer stressed that public education and information was important before consideration of mandatory water conservation and also expressed concern about enforcement of such an ordinance. It was the consensus of the Commissioners to take this matter under advisement.

IN THE MATTER OF HEALTH - MASS PROPHYLAXIS PLAN

Monica Smith, Director Health Nursing, introduced Michael Burger, District 5 Team Leader, to speak on behalf of the Indiana State Department of Health to provide a concise overview of what each health department and ISDH is doing regarding the mass prophylaxis plan. He stressed they are working with the surrounding counties, including Hendricks County, to plan for use of volunteers in this program. There was discussion of this program.

IN THE MATTER OF IMMUNIZATION FUNDING

Monica Smith presented a Memorandum of Understanding (MOU) for Immunization Funding from the Indiana State Health Board. She stated she had requested Attorney Tyler Starkey to review this MOU. Mr. Starkey advised that he has referred this MOU to Attorney Greg Steuerwald for further review. It was the consensus of the Commissioners to await a recommendation on this MOU from Greg Steuerwald.

IN THE MATTER OF CLERK'S OFFICE - SPACE

Clerk Cindy Spence explained they have had a large increase in the number of court cases during the first quarter of 2009 and anticipate an increase of over 2,000 cases in 2009. She further explained some changes that could be made by removing outdated and unused shelving to make room for these new case files. It was the consensus of the Commissioners for Ms. Spence to work with County Engineer John Ayers to look at space issues in the Clerk's office.

IN THE MATTER OF PAL CLUB

Receipt was acknowledged of a request from Officer Danny W. Shipley, Danville P.A. L. Club Director, for use of County facilities to start a P.A.L. Club in Danville. He provided a packet of information including the request, a list of the 2009 Board Members of Danville P.A.L. Club, a mission statement and their proposed plans for the club. He stressed particular interest in using the community building on the Government East Campus. It was the consensus of

the Commissioners to follow their previous decisions on use of this facility and to be consistent in their denial of this request for use of the facilities on the Government East Campus as there is no space available.

IN THE MATTER OF ORDINANCE NO. 2000-31

Mike Graham responded to the concerns expressed last week by Jim and Nancy English, Liberty Township, about the gun noise from their neighbors stating we have researched our ordinances and the Noise Ordinance 2000-31 has not been repealed. He further stated he has talked to Sheriff Galloway and he is well aware of the problem and has on more than one occasion talked to the English family and their neighbors. Mr. Graham stated Sheriff Galloway has advised that he does not have a solution, however he has pledged his resources to help address this problem. Sheriff Galloway also stated this is a neighbor problem and there are no effective laws to deal with it.

IN THE MATTER OF ANIMAL CONTROL

Mike Graham reported Mary Anne Lewis, Chief Animal Control Officer, is negotiating with the Humane Society on their proposal to provide free spay and neuter services for animals being adopted at the Animal Control Facility on Saturdays. He stated Ms. Lewis has asked the Humane Society to extend the service regardless of the day of the week and to cover any additional costs that may be added if there are complications during the procedure and she is now waiting for the Humane Society's response.

Receipt was acknowledged of the 2009 first quarter report for of the Animal Shelter from Mary Ann Lewis, Chief Animal Control Officer.

IN THE MATTER OF HEALTH CLINIC

Mike Graham advised they have set a Brownsburg Health Clinic visit for April 30, 2009 at 3:00 p.m. and stated Commissioner Palmer will be representing the Commissioners on the tour.

IN THE MATTER OF WORK RELEASE - VEHICLE

Mike Graham reported Bridgette Collins, Director Work Release Center, has made a request for permission to install a satellite radio in the work release vehicle at her expense. It was the consensus of the Commissioners to deny this request.

IN THE MATTER OF GOVERNMENT EAST CAMPUS - ROAD

John Ayers presented the corrected signature page for the agreement approved last week with United Consulting for design of the road for the Hendricks County Government East Campus. It was the consensus of the Commissioners to execute the signature page for the previously approved United Consulting agreement.

IN THE MATTER OF COURTHOUSE - CHILLER

John Ayers reported he had contacted AMS relative to their low bid for the chiller at the Courthouse and their later

offer to install a larger chiller much quicker for a larger amount over the base bid. He stated that AMS has now agreed to install the larger, upgraded chiller for the same price as the second low bid plus two alternates, as quoted in their bid for the smaller chiller. Mr. Ayers presented a contract with AMS Mechanical Services, LLC. Commissioner Palmer moved to approve and sign the AMS Mechanical Services contract for the replacement chiller at the Courthouse with two alternates in the amount of \$60,325, as recommended by the County Engineer. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0. Mr. Ayers stated that AMS has advised the chiller would be installed next week.

IN THE MATTER OF TRAFFIC STUDIES

John Ayers presented three traffic studies for local County roads that had been requested by citizens with recommendations for speed limit changes. He requested to advertise these three proposed ordinances for public hearing.

CR 1050E from CR 700S to CR 800S and recommended to lower the speed limit to 40 mph;
CR 900/925N from SR 39 to CR 75E and recommended to lower the speed limit to 40 mph; and
Valley Vista Drive in Valley Vista Estates and recommended to lower the speed limit to 20 mph.

It was the consensus of the Commissioners to advertise each of these three ordinances for a public hearing at 9:30 AM on Tuesday, May 5, 2009.

IN THE MATTER OF WAGE COMMITTEE HEARING

John Ayers reported the Wage Committee held a public hearing on Monday, April 13, 2009 in the Government Center to determine wages for four Hendricks County projects:

Bridge at McCloud Nature Park for the Hendricks County Parks and Recreation
Road Construction at Hendricks County Government East Campus
Carpet Replacement Hendricks County Government Center
Tilden Terrace Drainage Project

Mr. Ayers stated these four projects will all begin this summer with a late fall completion.

IN THE MATTER OF GOVERNMENT CENTER - WINDOWS

John Ayers advised a test replacement window will be installed by contractors in the Government Center this week and they will evaluate that window prior to the installation of the remainder of the windows.

Commissioner Wathen arrived at the meeting at 11:05 AM.

IN THE MATTER OF PLANNING AND BUILDING

Receipt was acknowledged of the Planning and Building Department March 4, 2009 monthly Report of Collections from Don Reitz, Planning Director.

IN THE MATTER OF CR 300S AND CENTER STREET

Commissioner Palmer questioned water standing in the residential yards and water ponding on CR 300S and Center Street (CR 625E). John Ayers stated he will check on this water problem and report back.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:

1. IDEM, Office of Water Quality, Wetlands Section, Public Notice, Hendricks County proposed extension of Ronald Reagan Parkway from US 36 to C.R. 200 S, closing date for comments is April 30, 2009.

Action needed/taken on the following:

1. Checks received and signed to the county:
 - a. Governmental Interinsurance Exchange \$5,753.29 Vehicle Damage
 - b. Governmental Interinsurance Exchange \$ 280.30 Vehicle Damage
2. Whicker signed vehicle titles for the following:
 - a. 2000 Ford Taurus Health Department

Documents needing action: None

IN THE MATTER OF ASSOCIATION OF INDIANA COUNTIES

Receipt was acknowledged of the 2009 Association of Indiana Counties (AIC) District Meetings with the next meeting being scheduled for the West Central District on May 12, 2009 at the Beefhouse in Covington, Indiana.

Commissioners Whicker and Palmer and Mike Graham all requested to be registered for this meeting.

IN THE MATTER OF RIGHT-OF-WAY DEDICATION

There was discussion of right-of-way dedication required. Commissioner Wathen stated right-of-way will be discussed during the Plan Commission meeting tonight. It was the consensus of the Commissioners to wait until after the Plan Commission discusses this issue.

IN THE MATTER OF COURT CASES

There was discussion of court cases in the Hendricks County Health Department. It was the consensus of the Commissioners for the Health Department staff to bring any and all court cases, in which they were involved, to the Health Board for informational purposes.

IN THE MATTER OF ECONOMIC DEVELOPMENT

Commissioner Wathen advised of a business working with O'Reilly Raceway Park to construct a motorcross track on the property. This would help with tourism in the County.

IN THE MATTER OF GONZALES AUTO

Commissioner Palmer discussed the status of the Gonzales Auto Parts, located east of Brownsburg on US 136.

Commissioner Wathen stated he would discuss this with the Plan Commission agenda during tonight's meeting.

Commissioner Palmer moved to adjourn the Commissioners' meeting at 11:22 PM. Commissioner Wathen 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
