

June 2, 2009

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, June 2, 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
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Paul Wilson		Hendricks County Zoning Inspector
James McBryant		Cypress Manor Administrator
Lise' Crouch		Hendricks County Emergency Management Department
Judith Wyeth		Secretary to the Commissioners

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

IN THE MATTER OF BIDS

Commissioner Whicker announced the bids for replacement of Culvert FR-001 and Culvert FR-059 had been duly advertised for 9:30 AM and it was now 9:30 AM. Commissioner Palmer moved to close receipt of bids for Culverts FR-001 and CR FR-059. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers distributed Bid Tabulation Forms for Culvert FR-001 and Culvert FR-059. A representative from Howser Brothers came into the meeting room with two bids and stated he was late as he had been directed to the incorrect department of the building and they were unable to locate the proper forms for his bids. Sue Van Damme, Auditor's Office, verified this representative came into the Auditor's Office at 9:25 AM with the bids. Attorney Greg Steuerwald clarified the advertised Notice to Bidders stated:

The bids will be received at: Office of the Auditor of Hendricks County, 2nd floor of the Hendricks County Government Center, 355 South Washington Street, Danville Indiana by 9:30 AM local time on the 2nd day of June, 2009; and

Office of the Board of Commissioners of Hendricks County 1st floor of the Hendricks County Government Center, 355 South Washington Street, Danville, Indiana by 9:30 AM Local time on the 2nd day of June, 2009.

Mr. Steuerwald stated these bids could be accepted as they were in the Auditor's Office before 9:30 AM.

John Ayers opened and read the following bids for replacement of Culvert FR-001, located in Franklin Township, on CR 700S:

Oles Engineering	\$ 193,495.25
American Contracting	\$ 327,589.35
S & G Excavating	\$ 270,167.52
George Harvey & Son	\$ 225,384.19
Trisler Construction	\$ 217,452.14
H. E. Henderson	\$ 179,268.22
Howser Brothers	\$ 230,555.12
Snider Group	\$ 234,075.31
Campbell Excavating	\$ 221,237.03
Central Engineering	\$ 243,035.40
Calumet	\$ 246,200.00
Poindexter	\$ 269,289.40
Kreager Brothers	\$ 241,307.00

John Ayers opened and read the following bids for replacement of Culvert FR-059, located in Franklin Township, on CR 450W:

Oles Engineering	\$ 192,043.76
American Contracting	\$ 317,938.25
S & G Excavating	\$ 270,561.04
George Harvey & Son	\$ 188,530.25
Trisler Construction	\$ 217,470.10
H. E. Henderson	\$ 192,302.47
Howser Brothers	\$ 235,296.90
Snider Group	\$ 229,588.43
Campbell Excavating	\$ 208,106.25
Central Engineering	\$ 254,635.54
Calumet	\$ 220,400.00
Kreager Brothers	\$ 234,296.00

John Ayers requested to review these bids and bring back a recommendation in two weeks. It was the consensus of the Commissioners for John Ayers and his staff to review the opened bids for Culverts FR-001 and FR-059 and bring a recommendation to the June 16, 2009 Commissioners' meeting.

IN THE MATTER OF MINUTES

Commissioner Palmer moved to approve the minutes of May 26, 2009 as corrected. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve Claims #195236 thru 195250, #194828 thru 194841 and #194905 thru 195232 as advertised. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Commissioner Whicker advised the installation of the sewer pipe at Exit 59 is moving along on schedule with the weather improvements and they still plan on completion by August 31, 2009.

Commissioner Wathen stated they will continue to wait on the Memorandum of Understanding (MOU) with Kite Developers for their proposed development at Exit 59.

Mike Graham relayed a phone message from Jason Bria, Lauth Properties, requesting a luncheon meeting with the Commissioners to discuss the recent Lauth bankruptcy filing. Commissioner Whicker stated the County is not liable for bonds in this matter and the County has none of the bonds as the bonds were all purchased by Lauth. It was the consensus of the Commissioners to meet with representatives from Lauth at noon on Tuesday, June 9, 2009.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers reported he had been advised by Bill Smith, Crawfordsville District INDOT, they have done a traffic study in response to the request for a signal light at US 136 and Ronald Reagan Parkway and they are now looking at the numbers to determine if they justify a traffic signal at this location at this time.

John Ayers reported CSX had advised they are sending the County the Right of Entry form for the Ronald Reagan Parkway south of US 36. Mr. Ayers further advised they are looking at a September letting for this portion of the Ronald Reagan Parkway.

John Ayers also stated the Metropolitan Planning Organization (MPO) will meet on June 17, 2009 for the vote on the final approval of funding for the Ronald Reagan Parkway.

IN THE MATTER OF JUDICIAL CENTER

John Ayers stated he had nothing to report on the judicial center study except to remind of the June 11, 2009 meeting of the advisory committee at 7:00 PM in the Government Center.

IN THE MATTER OF SHERIFF DEPARTMENT GRANT

Lt Jim Yetter, Hendricks County Sheriff's Department, presented an application for a grant for Justice Assistance in the amount of \$38,000 that is due June 2, 2009. He stated this would take no Commissioners' action, at this time, but they must make a public presentation and are coming before the Commissioners today as a part of compliance with the grant requirements. He stated they will also do a public posting and will be back on June 16, 2009 for the final part of this grant request. Lt. Yetter explained they plan to use this grant funding to purchase seven new video systems and four new radar systems for the squad cars. It was the consensus of the Commissioners for Lt. Yetter to complete the necessary steps for this grant application and that he be added to the June 16, 2009 agenda for further consideration.

IN THE MATTER OF SYCAMORE SERVICES

Marcia Lynch, Sycamore Services Director of Community Relations, presented the 2009 American Recovery and Reinvestment Act (ARRA) Grant Agreement from INDOT, Grant Agreement number 86001143S in the amount of \$527,447 for approval. Ms. Lynch advised this is tier one of this grant process through INDOT and that she will be bringing tier two for the addition of the garage at a later date. She also advised they had advertised this ARRA Grant Agreement for a public hearing and had no remonstrators.

Commissioner Wathen moved to approve the ARRA Grant Agreement Number 86001143S through INDOT in the amount of \$527,447 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.

Auditor Cinda Kattau confirmed her office is receiving quarterly reports from Sycamore Services.

Marcia Lynch reported that due to the current economy they are seeing an increase in requests for job placements and transportation to jobs, however, the number of employers requesting placements are reduced.

IN THE MATTER OF DISASTER RECOVERY STRATEGY

Lise' Crouch, Emergency Management, gave a brief report on the Disaster Recovery Strategy Meeting held on Wednesday, May 27, 2009 that was conducted by Kristy E. Jerrell, Flood Recovery Coordinator and Planner for the West Central Indiana Economic Development District. There was discussion of funding availability and the strategy to receive these funds, which will require a 25% local match. Ms. Crouch stated they have planned a meeting for June 16, 2009 to inform everyone of this funding. It was the consensus of the Commissioners for Lise' Crouch to work with: Mike Graham, Administer to the Commissioners; County Engineer John Ayers; County Highway Superintendent, Martin Summers; County Surveyor, David Gaston; and Economic Development Executive Director, Cinda Kelly to meet and to identify possible projects that qualify for this disaster recovery funding.

IN THE MATTER OF CYPRESS MANOR

James McBryant advised he was working with Rich Jensen on the insurance language in the FSSA Contract Management for Cypress Manor. Rich Jensen stated he had forwarded the contract to his insurance underwriter and was waiting for a response from his insurance carrier.

James McBryant presented an application for admission to Cypress Manor for Patricia Padgett. He advised

she would receive financial assistance through ARCH and recommended admission. Commissioner Palmer moved to admit this individual to Cypress Manor, as recommended by the Cypress Manor Administrator.

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

James McBryant presented an application for admission to Cypress Manor for Patricia Wolfe and stated she is currently a resident of the Putnam County Home, which will soon be closing, and they are requesting to transfer Ms. Wolfe to Cypress Manor. Mr. McBryant also stated this individual is currently on the ARCH assistance program and recommended admission. Commissioner Palmer moved to admit this individual to Cypress Manor, as recommended by the Cypress Manor Administrator. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF USE OF GOVERNMENT CENTER

Mike Graham referenced the request of Jenny Hill, Hendricks County Health Department, for use of the Government Center for a Pilates exercise class that was continued from last week and stated this would be for employees only and would be a six-week class that meets one evening each week, after work, from 4:30 to 5:30 PM. He stated the Pilates exercise is a stretching exercise program and the instructor will be charging \$30 for the six-week program. There was discussion of setting a precedent for commercial use of County buildings for profit. There was also discussion that exercise is a part of the wellness program. Commissioner Whicker, as per request, moved to approve the exercise class, for employees only, one evening each week for a six-week period. Commissioner Wathen seconded the motion and the motion was approved 2-1-0 with Commissioners Whicker and Wathen voting aye and Commissioner Palmer voting nay.

Commissioner Wathen moved to recess the Commissioners' meeting for the Tech Board at 10:30 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker opened the Tech Board Meeting at 10:31 AM.

IN THE MATTER OF TECH BOARD

Commissioner Whicker announced John Parsons, Systems Administrator, had informed him there was nothing to bring before the Tech Board today. Commissioner Palmer moved to adjourn the Tech Board at 10:32 AM. Commissioner Wathen seconded on the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker reconvened the Commissioners' meeting at 10:33 AM.

IN THE MATTER OF GOVERNMENT CENTER - APPRAISAL

John Ayers presented the completed appraisal of the Government Center from Traynor & Associates, Inc. and stated Traynor is currently appraising the other County buildings. Rich Jensen Stevenson-Jensen Agency

stated the previous appraisal of County buildings was over ten years ago and this appraisal is necessary for the bond on the Government Center for the Courthouse Building Corporation. He also stated the appraisals of all County buildings will provide him information for insurance coverage.

IN THE MATTER OF BROWNSBURG - ANNEXATION OF ROADS

John Ayers presented an Interlocal Agreement between the Town of Brownsburg, Indiana and Hendricks County, Indiana in Connection with the Jurisdiction over Certain County Road Areas to transfer complete ownership and jurisdiction to the Town of Brownsburg for a portion of CR 300N and a portion of 56th Street. Mr. Ayers stated the Town of Brownsburg wanted speed limits for portions of County roads to be consistent with the town's speed limit. He stated some of the affected County Roads are small segments in the middle of a Brownsburg road. There was discussion if an interlocal agreement was the correct form to use. It was the consensus of the Commissioners for Greg Steuerwald to contact the attorney for the Town of Brownsburg to discuss this document and bring back to the June 9, 2009 meeting.

IN THE MATTER OF ENERGY GRANT - AMERESCO

John Ayers reported he had contacted several firms to assist the County with their application for the energy grant funded with the Federal stimulus. He presented an email from Jeff Metcalf, Ameresco, stating they are willing to conduct this feasibility analysis for Hendricks County, to fill in and complete the necessary application and to help develop the required strategy. It was noted Mr. Metcalf, representing Ameresco, made a presentation to the Commissioners on May 19, 2009. Mr. Ayers stated Ameresco is willing to work toward an RFP or RFQ for a performance contract once the stimulus money is awarded. Mr. Ayers also stated Ameresco has experience with grant applications and seemed the most interested in assisting Hendricks County with this application. Commissioner Palmer moved to authorize John Ayers to work with Ameresco for assistance with the application for an energy grant, at no cost to the County. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BUCKEYE PIPE LINE – 56th STREET

John Ayers presented the County Pipeline Casing Removal /Test Station Relocation Agreement 403: with Buckeye Pipe Line Company and the Board of Commissioners of Hendricks County for the necessary relocation of pipeline during the reconstruction of CR 600N (56th Street) with a quote from Miller Pipeline

Corp. in the amount of \$38,550.00. Greg Steuerwald explained the County's expense for this pipe line relocation. Commissioner Wathen moved to approve and execute the Pipeline Casing Removal / Test Station Relocation Agreement 403L with Buckeye Pipe Line Company, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RAILS TO TRAILS

John Ayers acknowledged receipt of the May 27, 2009 letter from Betty D. Jones, CSX Manager – Closing, stating CSX had accepted the Hendricks County Board of Commissioners offer to purchase approximately 179.825 acres of land in Hendricks County, Indiana for the consideration of \$1,677,000 for the B&O Trail for the Rails to Trails project. A copy of the fully executed Purchase Agreement was included.

John Ayers presented the Indiana Department of Transportation – Local Public Agency Project Coordination Contract EDS # A249-09-321040 Des. No. 9384590 through the Crawfordsville District Office for the bike/pedestrian facilities for B&O Trail on the railroad corridor from the west Hendricks County line to the east Hendricks County Line in Hendricks County, Indiana. Mr. Ayers noted that the County is the pass through agency and the Rails to Trails will be responsible for any matching funds. Commissioner Palmer moved to approve the contract with INDOT and Hendricks County for the land for the trails EDS # A249-09-321040 . Commissioner Wathen seconded the motion. Auditor Cinda Kattau questioned the County's liability and if the Rails to Trails did not have sufficient funds if the County would be responsible. Commissioner Palmer withdrew her motion. Commissioner Wathen withdrew his second. Commissioner Palmer moved to table the INDOT contract EDS # A249-09-321040 until counsel has reviewed this agreement. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ENGINEERING

John Ayers advised he will be out of the office attending a conference in Indianapolis the remainder of this week, however, he will keep his cell phone with him and will pick up his phone messages.

IN THE MATTER OF CR 150S

Commissioner Palmer questioned the restriping of CR 150S between SR 267 and CR 625.

IN THE MATTER OF CR 300S

Commissioner Palmer stated CR 300S from SR 267 to Center Street in Plainfield needed to be striped in the interest of safety for our citizens. John Ayers responded CR 300S is on their list of roads to be striped this summer.

IN THE MATTER OF MAIL SERVICE - DIVERSIFIED M.A.I.L.

Receipt was acknowledged of the May 27, 2009 letter from Ron Robbins, President of The M.A.I.L. Group Companies, advising that on June 1, 2009 they will be increasing the service fee associated with meeting 1st class mail by \$0.01 per piece.

IN THE MATTER OF MAYHEW PROPERTY

Greg Steuerwald gave a brief history of the County's actions against the Mayhew property, located in Middle Township. Paul Wilson, Zoning Inspector, explained the zoning steps and action the County had followed, over a period of several years, on these two parcels, totaling 0.5 acre, including the major expense to clean up of this property and the legal responsibilities. Greg Steuerwald explained the current status of the Mayhew family continuing to dump trash on this property after the County had it cleaned up and recommended for the County to move forward to take this property. Commissioner Wathen moved for counsel to move forward to foreclosure on this property. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF LEGAL CLAIMS

Auditor Cinda Kattau explained that effective July 1, 2009 the County would no longer have to pay for the legal printing of advertising claims, which will save the County funds.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence: None

Action needed/taken on the following:

1. Checks received and signed to the county: None
2. Whicker signed vehicle titles for the following:
 - a. 2000 GMC Van Animal Control
3. Documents needing action: None

IN THE MATTER OF PRESTWICK LOT

Commissioner Palmer advised that someone has planted a garden on the County owned lot, Lot 121, in Ridge Hill of Prestwick, and inquired if permission had been granted to any of the neighbors to use this lot.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the May 26 to May 29, 2009 Highway report from Martin Summers, Highway superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the May 25 to May 29, 2009 Human Resources report from Ron Love, Human Resources Director.

IN THE MATTER OF SECRETARY OF AGRICULTURE

Commissioner Whicker announced that Secretary of Agriculture, Tom Vilsack, will host a rural community forum today at the Hendricks County 4-H Fairgrounds and Conference Complex, 1900 East Main Street, Danville from 3:00 p.m. – 4:15 p.m. He will share information with local residents about the work USDA is doing to revitalize and rebuild rural America and ask local residents how USDA can be helpful in support and initiating other programs and projects to help the community participate fully and successfully in the new 21st century economy. Secretary Vilsack will also highlight American Renewal and Reinvestment Act projects improving communities and benefiting people through rural America.

IN THE MATTER OF COURTS

Mike Graham announced he would be meeting with the Judges at noon today.

Commissioner Wathen moved to adjourn the Commissioners' meeting at 11:25 AM. Commissioner Palmer 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
