

November 3, 2009

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, November 3, 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)	
Eric L. Wathen)	Hendricks County Board of Commissioners
Gregory E. Steuerwald		Hendricks County Attorney
Cinda Kattau		Hendricks County Auditor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Todd McCormack		Hendricks County Director Superior Court Adult Probation
James McBryant		Administrator Cypress Manor
Judith Wyeth		Secretary to the Commissioners

NOTE: Commissioner Palmer was on vacation and 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 Wathen moved to approve the minutes of the October 27, 2009 meeting, as corrected.

Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF CLAIMS

Commissioner Wathen moved to approve Claims #199399 thru 199427, #200214 thru 200223, and #199428 thru 200213, as presented. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF EXIT 59

Commissioner Wathen advised they are continuing to work with the prospective developer for Exit 59. He also stated the sewers are almost completed at Exit 59.

Mike Graham stated Centerline has sent a revised letter restating our commitment to provide water service and it states we have secured all the easements. There is an issue associated with the easement that needs to be resolved before the Commissioners can sign the letters. The Commissioners tabled consideration of the letter until the November 10, 2009 meeting in hopes the easement issue can be resolved. Mike Graham will continue to work to obtain the necessary easements to record.

Commissioner Whicker explained the Regional Sewer Board this morning was advised the sewer lines at Exit 59 will be tested today and that Valenti-Held will be requesting an extension of time for completion of the odor control building at that site.

Mike Graham acknowledged that Paul Kite Developer has asked for a small TIF bond, net \$1.5 million and stated there are several questions that will need to be resolved. He stated in the original MOU, we had some monies going to the fire department. He also stated when Kite said they were not seeking a TIF bond we agreed to give them the difference between the infrastructure commitment of \$620,000 and the cost of putting in the water service currently estimated at \$582,649. Mr. Graham advised that Kite is working on their proposal to answer these questions and we will eventually need to set down and negotiate a revised MOU. It was the consensus of the Commissioners for Mike Graham to continue working with Kite on their MOU for Exit 59.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers advised the bridge letting for the new bridge on the Ronald Reagan Parkway over the CSX tracks

is scheduled for tomorrow, November 4, 2009.

John Ayers presented a Memorandum of Agreement for the Ronald Reagan Parkway between the Federal Highway Administration and the Indiana State Historic Preservation Office regarding the Extension of the Ronald Reagan Parkway from CR 600N to SR 267 and I-65 in Perry Township, Boone County, Indiana and Brown Township, Hendricks County, Indiana. Mr. Ayers stated Boone County has already signed this agreement. Commissioner Whicker moved to enter into the Memorandum of Agreement for the Ronald Reagan Parkway between the Federal Highway Administration and the Indiana State Historic Preservation Office regarding the Extension of the Ronald Reagan Parkway from CR 600N to SR 267 and I-65. Commissioner Wathen seconded the motion and the motion was approved unanimously 2-0-0.

John Ayers stated the fee for design of the Ronald Reagan Parkway from CR 100S to CR 200S has been submitted to INDOT and is being reviewed.

IN THE MATTER OF JUDICIAL CENTER

Steve Craney, Banning Engineering, stated the next meeting of the Advisory Committee for the judicial center will be November 5, 2009 at 7 PM in the Government Center and their presentation will be made to the joint Commissioners and Council meeting on December 10, 2009.

IN THE MATTER OF LINK HENDRICKS COUNTY

Marcia Lynch, Director of Community Relations for Sycamore services, presented the 2010 Section 5311 PMTF Operating Assistance Grant Agreement #18028430 with INDOT in the amount of \$574,094 for LINK Hendricks County operating expenses including fuel, labor and maintenance. Ms. Lynch also advised this is a matching grant and the state will provide \$172,000 of this match. She explained this is a joint venture with Morgan County and Morgan County has provided their match for this grant. Commissioner Wathen moved to approve the 5311 Grant with INDOT between LINK and Hendricks County for 2010 operating expense and authorize the President to sign on behalf of the Commissioners. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

Marcia Lynch explained LINK Hendricks County had been notified they will receive a stimulus grant in the amount of \$800,000 including \$574,000 for equipment and the remainder of the grant for the storage/repair building for vehicles to be located near the Sycamore Services building. She stated they would purchase ten vehicles, three for Morgan County and seven for Hendricks County, and that some of these would be replacement vehicles for LINK.

IN THE MATTER OF COMMUNITY CORRECTIONS

Todd McCormack, Hendricks County Director Superior Court Adult Probation, made a presentation on Hendricks County becoming a community corrections county. He presented a handout and explained the ten points for consideration including the State paying the County \$485,000 annually. He also gave a brief history of his previous contact with the Department of Corrections (DOC) relative to their policy and management of community corrections facilities and operation. There was discussion of funding, advisory committee appointments, quarterly meetings, and other requirements. Mr. McCormack stated representatives of the

Department of Corrections (DOC) will make a presentation during the November 17, 2009 Commissioners' meeting and that he will speak to the County Council at their regular meeting on November 12, 2009.

IN THE MATTER OF CYPRESS MANOR

James McBryant presented an application for the admission of Ronald G. Newton as a resident of Cypress Manor and stated he is being referred by Cummins Mental Health. Mr. McBryant stated he had talked with this individual on the phone, however, he had not met with him personally and he was attempting to schedule an appointment for him with a Cummins physician. Commissioner Wathen moved to set up this individual as a resident in Cypress Manor on a month trial basis, subject to an interview with the Cypress Manor Administrator and his appointment with the Cummins doctor. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

James McBryant reported he had been contacted by a volunteer who is willing to work to establish a volunteer program to assist with Cypress Manor.

IN THE MATTER OF BROWNSBURG LIBRARY

Receipt was acknowledged of a letter from Wanda Pearson, Director Brownsburg Public Library, advising the term of Lugene Yearwood would expire December 31, 2009 and requesting to reappoint her to another four-year term on the Board of Trustees of the Brownsburg Public Library. Commissioner Wathen moved to reappoint Lugene Yearwood to another four-year term on the Brownsburg Library Board of Trustees through December 31, 2013. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

Commissioner Wathen moved to recess the Commissioners' meeting for the Tech Board at 10:30 AM. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

Commissioner Whicker opened the Tech Board at 10:31 AM with Doug Morris, Systems Administrator joining the meeting.

IN THE MATTER OF TECH BOARD

Doug Morris, Systems Administrator, presented a thirty-six month Term Agreement with Orbit Tech to provide AT&T Internet Service for the County. He stated the current charge for this service is \$1,641.00 monthly and with this new pricing schedule it would be reduced to a monthly charge of \$1,032.15, which is a monthly savings to Hendricks County of \$608.85 for this thirty-six month agreement. Mr. Morris clarified there would be no change in our current internet services. Attorney Greg Steuerwald stated he had reviewed the contract. Commissioner Wathen moved to approve the Orbit Term Agreement with AT&T Internet service, based on the recommendation of the IT Director, and authorize the President to sign this three-year contract on behalf of the Commissioners. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

Commissioner Wathen moved to adjourn the Tech Board at 10:40 AM. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

Commissioner Whicker reconvened the Commissioners' meeting at 10:41 AM.

IN THE MATTER OF TOWN OF DANVILLE

Mike Graham reported Gary Eakin, Danville Town Manager, had advised him he has set an executive

session with the Danville Town Council to talk about the County's offer to lease the old town hall space, however, he did not give a timeline. Mr. Graham stated that Mr. Eakin did say he would get back with him.

IN THE MATTER OF DANVILLE CHAMBER OF COMMERCE - CHRISTMAS

Mike Graham reported he had talked to Amanda Jensen, Executive Director Danville Chamber of Commerce, and she informed him their request for the live Nativity to be on the Courthouse lawn will be for only one night, the night of the tree lighting ceremony. Commissioner Whicker moved to deny the request of the Danville Chamber to have a live Nativity on the Courthouse lawn. There was no second and the motion died for lack of a second. Commissioner Wathen moved that based on the fact the Commissioners have been receiving requests and letting all groups and organizations use the Courthouse grounds as long as they do not harm the property that they do the same with this request. There was no second and the motion died for lack of a second. There was no action taken. It was the consensus of the Commissioners to add this item to the November 10, 2009 agenda.

IN THE MATTER OF COURTHOUSE SECURITY

Mike Graham reported Judge Lemay-Luken, Superior Court 5, has asked if the meeting on Courthouse security could be moved to a starting time of noon rather than 1:00 p.m. It was the consensus of the Commissioners to change the time of the Executive Session on Courthouse security to noon on Tuesday, December 15, 2009 in the Circuit Court Jury Room, as requested.

IN THE MATTER OF HOMELAND SECURITY

Mike Graham presented the UASI (Urban Area Security Initiative) funding proposal for District 5, District Planning Council (DPC) for Homeland Security and explained the UASI Council composition. He further advised that Steve Cook, Deputy Director of Hendricks County Communications Center, represents Hendricks County along with David Warren, Hendricks County Emergency Management Director, and Chief Jeff Mitny, Plainfield Police Chief. He summarized the UASI partnership is a regional approach, unified strategy and benefits the entire region. It was the consensus of the Commissioners for Hendricks County to participate in this program

IN THE MATTER OF FR-001 AND FR-059

John Ayers presented Change Order No. 1 from Trisler Construction Company for culvert FR-001, located on CR 700S over ditch in Franklin Township, for a reduction of \$44,508/.55 as the low bidder is casting the culvert on site per his alternate bid which was accepted and awarded. Commissioner Wathen moved to approve and execute Charge Order No. 1 with Trisler Construction for a reduction of \$44,508/50 in the original contract for culvert FR-001 in Franklin Township. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

Rich Condre, Crawford, Murphy and Tilly (CMT) gave a brief update on the replacement of culvert FR-059, located on CR 450W over ditch in Franklin Township, and stated they are ready to pave the roadway.

IN THE MATTER OF GOVERNMENT CENTER CARPET

John Ayers reported the carpeting in the offices of the Government Center is almost complete and they are

ready to start replacing carpet in the hallways and common areas.

IN THE MATTER OF STORAGE BOXES

John Ayers explained the large number of used boxes left after the moving of files, equipment and supplies from the various offices during replacement of the carpet in the Government Center. He stated these boxes no longer have any value and requested to let employees take them if they so desired. Commissioner Wathen moved to allow the used moving boxes to be given to employees as the County Engineer has stated they have "0" value. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged he had no correspondence to present.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for October 26 to October 29, 2009 from Martin Summers, Highway Superintendent.

Commissioner Whicker advised the original signature page had been provided for the TRAKE Engineering renewal contract for 2010 maintenance on the County Highway fuel system that was approved on October 27, 2009 and that he has signed the document.

IN THE MATTER OF COMMUNICATIONS FUNDING

Commissioner Whicker acknowledged receipt of a call on Friday, October 30, 2009 from Senator Connie Lawson's office requesting to meet with the Commissioners and Council at 8:30 AM on Tuesday, November 10, 2009 in the Government Center. He noted this meeting is in response to the letter sent to Senator Lawson and all State Representatives representing Hendricks County to discuss funding for the Communications Center. Commissioner Whicker further stated they had talked with County Surveyor Dave Gaston and he agreed to move the Drainage Board meeting to 9 AM on this date in order for the Commissioners and Council Members to meet with Senator Lawson.

IN THE MATTER OF TRANSFERS

The following letters were presented for transfer of funds within the Commissioners' budget.

\$1,000 From 100-32600-000-135: Telephone
To 100-32103-000-135: Military Burial

\$15,000 From 100-44000-000-135: Equipment
To 100-46000-000-135: Special Contracts

\$100 From 100-35600-000-135: Liability
To 100-33000-000-135: Mileage

\$400 From 100-20100-000-135: Office Supplies
To 100-21001-000-135: Copy Paper

Commissioner Wathen moved to approve and execute the transfer letters, as presented. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF HENDRICKS REGIONAL HEALTH - LUNCHEON

Commissioner Whicker acknowledged receipt of a call from the office of Dennis Dawes advising that the Board of Trustees for the Hendricks Regional Health met in October and decided to change their November meeting date to Tuesday, November 24, 2009 in order to invite the Commissioners to join them for lunch at

noon. It was the consensus of the Commissioners to accept the invitation to join the Board of Trustees of the Hendricks Regional Health for lunch on Tuesday, November 24, 2009.

IN THE MATTER OF REDEVELOPMENT COMMISSION

Commissioner Whicker announced the Redevelopment Commission will meet on at 7 PM on Wednesday, November 4, 2009 in the Government Center.

Commissioner Wathen moved to adjourn the Commissioners' meeting at 11:00 AM. Commissioner Whicker seconded the motion and the motion was approved unanimously 2-0-0.

David A. Whicker, President

Phyllis A. Whicker, Vice President

Eric L. Wathen, Member

ATTEST: _____
Judith Wyeth, Deputy Auditor
