

December 1, 2009

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, December 1, 2009, 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)	
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
James McBryant		Administrator Cypress Manor
Judith Wyeth		Secretary to the Commissioners

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 November 24, 2009 meeting, as corrected.

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

IN THE MATTER OF CLAIMS

Commissioner Wathen moved to approve Claims #200668 thru 200685, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Commissioner Whicker announced American Structurepoint had confirmed Valenti-Held have the sewers essentially completed the sewers at Exit 39 and they are ahead of schedule.

Commissioner Wathen stated the water line easement from Lauth lacked cooperation from Lauth and that Koger has now offered to place the water line thru their property at Exit 59, which may be a reduction in the cost of the water line. Mike Graham explained we may have another option to running the water line through the Lauth property as he had been contacted by Amy Bennitt, the real estate agent who sold a portion of the Koger property for the Love's Truck Stop, has made an offer to allow the water line to run through the Koger property as Ms. Bennitt has to provide water service to Love's by this spring or the deal goes away. He stated she is very motivated to getting the water line in and she wants the water line to run through the Koger property. Mr. Graham advised he had talked to Stan Graves, the Indianapolis Water Company's engineer who is working with us on the water line, and Mr. Graves said it would not be a problem to change the direction of the bore and put the water line on the Koger property. Mr. Graham also stated he had talked to Webb Bernhardt, American Structurepoint, Inc., and he said he saw no conceptual problem with changing the route, however, he requested to see some plans, but he thought it would work. Commissioner Palmer moved to authorize Mike Graham to work with representatives of Koger for the water line to go through the Koger property at Exit 59 and for Greg Steuerwald to check on the wording of the Memorandum of Understanding (MOU) with Lauth at Exit 59.

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

Commissioner Wathen advised he will meet with representatives of the Kite property next week to work on the Memorandum of Understanding ((MOU) for Exit 59.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers stated he will meet with Gradex to discuss the portion of the Ronald Reagan Parkway from US

36 to CR 100S. He will also meet with INDOT as this portion is a federally funded project requiring Hendricks County to pay 20% and stated the County's portion will be funded from Innovative Financing.

John Ayers advised that the bridge on the Ronald Reagan Parkway over the CSX tracks can be started and they can work on it during the winter.

John Ayers reported he had billed the Town of Avon \$90,000 for their portion of the paving of the Ronald Reagan Parkway that is within the Avon Town limits.

John Ayers reported he had been contacted by Dennis Faulkenberg, Appian, to complete the annual Report of Lobbyist Activity and presented a copy of the report to the Indiana Lobby Registration Commission.

IN THE MATTER OF JUDICIAL CENTER

Commissioner Whicker reminded everyone the Judicial Center report from the Advisory Committee will be presented to the joint Commissioners and Council meeting at 3:30 PM on Thursday, December 10, 2009 in the Government Center.

IN THE MATTER OF ANIMAL CONTROL

Brian Mehringer, DVM, of the Avon Veterinary Clinic, gave a brief presentation and explained a draft proposal for spray/neuter service for the Hendricks County Animal Shelter. There was discussion to discuss this proposal with Mary Anne Lewis, Chief Animal Control Officer, members of the Hendricks County Humane Society and with other veterinarians in the area. It was the consensus of the Commissioners for Mike Graham to proceed to discuss this matter with the parties mentioned.

IN THE MATTER OF CYPRESS MANOR

James McBryant presented a new application for Paul Brewer for admission to Cypress Manor and explained a brief history of this individual. There was discussion of funding and possible financial support from the Guilford Township Trustee. Commissioner Wathen moved to accept this individual as a resident of Cypress Manor for three months to determine if funding is available. Commissioner Whicker seconded the motion. There was discussion of the motion. Commissioner Wathen withdrew his motion. Commissioner Whicker withdrew his second. Commissioner Wathen moved to admit this individual on a probationary three month period and to review at that time based on funding. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HIGHWAY SUPERINTENDENT POSITION

Mike Graham explained it is extremely unlikely that there will be a new Highway Superintendent in place by January 1, 2010. He expressed concerns that we need to have a plan in place now in order to make the transition and stated we need to develop an interim plan for management of the Department. There was discussion of several options. It was the consensus of the Commissioners for County Engineering John Ayers and Mike Graham to talk with Highway Superintendent Martin Summers to determine if he would be willing to continue in the current position until a new Highway Superintendent is in place.

There was discussion of the interview process to fill the position of Highway Superintendent. John Ayers clarified they have reviewed the 53 applications and are in the process of narrowing the list to interview.

Commissioner Wathen stated there were some applicants that he would like to see on the final interview list.

John Ayers stated he and Human Resources Director Ron Love will start some telephone interviews this week to narrow the list.

IN THE MATTER OF TOWN OF DANVILLE - PROPERTY

Commissioner Whicker referenced the November 22, 2009 Commissioners' meeting and the request for Attorney Greg Steuerwald to draft a letter to the Danville Town Council in response to their raising the price of the Town Hall property from \$300,000 to \$450,000 based on their reason that the County would not provide any assurance the judicial center would remain within the Town of Danville. Commissioner Whicker read the letter prepared by Attorney Steuerwald. It was the consensus of the Commissioners to sign and send the letter to the Danville Town Council advising them the County is still interested in pursuing the purchase of property based upon its original offer.

IN THE MATTER OF ENGINEERING DEPARTMENT – ENCUMBRANCE

John Ayers presented 15 encumbrance letters for County projects with contracts. It was the consensus of the Commissioners for the President of the Commissioners to sign the encumbrance letters presented by the Engineering Department.

IN THE MATTER OF 56TH STREET

John Ayers explained Poindexter Construction is requesting additional funding for their work on the 56th Street project. He presented a response letter denying any additional payment to Poindexter Construction for this project.

John Ayers explained Buckeye Pipe relocated a pipe in the 56th Street project and is requesting additional funds. He stated the billed amount for actual additional work was \$29,653 and presented a claim for this actual work amount. It was the consensus of the Commissioners to sign the claim to Buckeye Pipe for \$29,653, as recommended by the County Engineer.

IN THE MATTER OF BRIDGE NO. 188

John Ayers gave an update on Bridge No. 188 located on CR 0 south of US 40, and reported today they are paving the bridge.

IN THE MATTER OF MI-006 AND MI-007

John Ayers reported MI-006 and MI-007, located on CR 500E in Middle Township, is now open for traffic.

IN THE MATTER OF FR-059

John Ayers advised that Culvert FR-059, located in Franklin Township on CR 450W over Ditch, is now open for traffic.

IN THE MATTER OF BRIDGE NO. 34

John Ayers reported they will not start work until next spring on Bridge No. 34, located on CRA 700N.

IN THE MATTER OF STORAGE

John Ayers presented competitive prices for rental of commercial space to store items currently stored in the Expo building at the East Campus. It was the consensus of the Commissioners for John Ayers to proceed to

obtain a lease agreement and bring back.

IN THE MATTER OF JAIL ROOF

John Ayers reported they have delayed replacement of the jail roof and feel they now need to move forward on this replacement. He presented Notice to Bidders to be advertised for a January 5, 2010 bid opening. Commissioner Wathen moved to allow publication of the Notice to Bidders for the new roof for the jail to be bid on January 5, 2010. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF B&O TRAIL

John Ayers advised they are working on the right-of-way from CSX for the B&O Trail in order to meet the February 2010 deadline for stimulus funding for this project.

Commissioner Wathen moved to recess the Commissioners' meeting for the Tech Board at 10:45 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker opened the Tech Board at 10:46 AM.

IN THE MATTER OF TECH BOARD

Commissioner Whicker opened the Tech Board and reported he had received word from Doug Morris, Systems Administrator, they had nothing to bring before the Tech Board today. Commissioner Palmer moved to adjourn the Tech Board at 10:47 AM. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker reconvened the Commissioners' meeting at 10:45 AM.

IN THE MATTER OF APPOINTMENTS

Receipt was acknowledged of a request from Dr. David Hadley for an appointment to the Health Board to fill the vacancy left by Dean Turner, who recently passed away. It was noted Mr. Turner's term expires 12-31-09 and he was one of the Democrats on the Board. The Commissioners requested Attorney Greg Steuerwald to check the requirements for Health Board appointees.

Mike Graham explained it is time for the Commissioners to have a meeting with the eleven Department Heads who report to the Commissioners. He stated that last year this process was divided it between two meetings. It was the consensus of the Commisioenr for Mike Graham to set up meetings with the individual Department Heads who report to the Commissioners and set appointments for the afternoon of December 8 and December 22, 2009.

IN THE MATTER OF TRANSFERS

Two transfer letters were presented for consideration: Transfer of \$500 from 100-32600-000-135: Telephone to 100-32900-000-135: Attendance at Meetings, and to transfer \$3,000 from 100-32600-000-135: Telephone to 100-32103-000-135: Military Burial. Commissioner Wathen moved to approve and sign the two letters for transfer of funds, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF STATE BOARD OF ACCOUNTS

Auditor Cinda Kattau presented a draft letter to the State Board of Accounts relative to the financial statements of Hendricks County as of December 31, 2008. Commissioner Wathen moved to approve the letter

to the State Board of Accounts and authorize the President to sign the letter on behalf of the Commissioners.

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

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:

- 1. Cummins Behavioral Health Systems, Inc., Board of Directors Meeting Announcement, Thursday, December 3, 2009, Cummins Administrative Offices, 5702 US 36, Avon, IN, 6:15 p.m.
- 2. Hendricks Regional Health YMCA ground-breaking ceremony, Thursday, December 3, 11:00-11:30 a.m. at the Avon construction site.

Action needed/taken on the following:

- 1. Checks received and signed to the county:
 - a. Insurance-Stevenson-Jensen Agency, Inc. \$150.00 Counterfeit Currency
- 2. Whicker signed vehicle titles for the following: None
- 3. Documents needing action: None

IN THE MATTER OF SPECIAL AIC MEETING

Commissioner Palmer announced she had been contacted by Jeff Quyle, regarding a special AIC meeting on December 11, 2009 regarding the legislation for the donut counties.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for November 23 to November 25, 2009 from Martin Summers, Highway Superintendent.

IN THE MATTER OF VETERANS' AFFAIRS

Receipt was acknowledged of the monthly Veterans' Affairs report for October from Lori Turpin, Veterans' Affairs Officer.

Commissioner Wathen moved to adjourn the Commissioners' meeting at 10:55 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



