



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE APRIL 10, 2018 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, April 10, 2018 in the Commissioners' Meeting Room located on the first floor of the Hendricks County Government Center at 355 S. Washington Street, Danville, IN 46122 with the following Hendricks County personnel in attendance:

Matthew D. Whetstone	Commissioner, President
Phyllis A. Palmer	Commissioner, Vice President
Bob Gentry	Commissioner
R. Todd McCormack	Executive Director
Gregory E. Steuerwald	Attorney
Nancy Marsh	Auditor
John E. Ayers	Engineer
Erin Hughes	Human Resources Administrator
Brett Clark	Sheriff
Kevin Cavanaugh	Facilities Manager
Bart Harvey	Highway and Bridge Project Manager
Curt Higginbotham	Highway Department Superintendent
Dr. David Stopperich	Health Officer
Julie Haan	Environmental Health Director
Larry Scott	Assessor
Shawn Shelley	Treasurer
Jim Mardis	Regional Sewer/NPES Director
Tim Dombrosky	Planning Director
Suzanne Baker	Senior Planner
Sean Horan	Emergency Management Director
David Warren	Emergency Management Director (Previous)
Lise Crouch	Emergency Management Coordinator/Administrative Assistant
Bridgette Collins	Work Release Director
Doug Morris	I.T. Director
LaDonna Hughes	Animal Shelter Director/Chief Animal Control Officer
Tiffany Dalton	Drainage Inspector
Patricia Baldwin	Prosecutor

PLEDGE TO THE FLAG, PRAYER, AND DETERMINATION OF A QUORUM

Commissioner Whetstone opened the meeting at 9:00 AM with a quorum of all three (3) Commissioners present, led the Pledge to the Flag in unison, and gave a brief prayer for those who wished to participate.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the Minutes of the March 13, 2018 Commissioners' Meeting, the Minutes of the March 27, 2018 Commissioners Meeting, and the Minutes of the March 27, 2018 Commissioners' Executive Session as amended. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Direct Deposit Check Numbers 163245 through 163742 and all Budgetary Claims presented from the Auditor's Office for the period beginning March 29, 2018 and ending April 11, 2018, dated April 11, 2018. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ZA 453/17: MI HOMES OF INDIANA, L.P.

Tim Dombrosky presented an Ordinance to amend the zoning map of Hendricks County to designate the Real Estate as a Planned Unit Development District to be known as the "Sonora PUD District", commonly known as ZA 453/17: MI Homes of Indiana, L.P. Tim Dombrosky recommended approving this amendment and stated the Plan Commission recommended approval during their March 13, 2018 meeting; 4-2-0.

Jonathan Isaacs, Land Acquisition Manager for MI Homes, reported that a few modifications are being made to the commitments and to the Ordinance. These modifications include the builder providing a \$720.00 payment to the Highway Department for each home built in Sonora, offering a HardiePlank® option upgrade in lieu of vinyl siding, adding language to the HOA covenants requiring a rental property lease to be no less than twelve (12) months in length (no short term rentals), and no more than ten (10) homes in Area B (north area) can be less than 1,600 square feet. Jonathan Isaacs requested approval of the Ordinance with the proposed modifications.

Commissioner Whetstone advised there were numerous letters and emails received regarding the matter and inquired if anyone present had any new or additional information they would like to present. A few County residents who were present voiced their opinions and concerns regarding the size of the homes, quality of the homes, the impact the subdivision would have to the sewer and water, crime, traffic, and the safety of children due to the additional hazards and requested the Commissioners vote against the proposed Ordinance for Sonora.

Jonathan Isaacs advised there is a gross misrepresentation regarding the type(s) of homes to be constructed, if approved, and stated the homes are not entry-level homes and are quality single-family homes with quality features, that are designed to fit in with the surrounding area. Jonathan Isaacs reported a Traffic Study was completed and reviewed by John Ayers. John Ayers advised the peak numbers reported in the Traffic Study were consistent with similar neighborhoods across the country and the peak numbers from this development alone do not add a significant burden to warrant traffic improvements at the intersections. John Ayers stated that the continued expansion/development of Ronald Reagan Parkway may impact the numbers in the Traffic Study and advised the Traffic Study had been modified to take this in to consideration.

Commissioner Palmer expressed concerns regarding HardiePlank® still being an option and not the standard construction material instead of vinyl siding, the abundance of high-density housing along Raceway Road, and the large number of resident emails/letters received opposing the development of Sonora and feels the residents and Hendricks County deserves something better.

Commissioner Gentry advised he had concerns regarding the quality of the homes being proposed (types of shingles, building materials, dirt compaction, siding, driveway depth, topsoil ownership, sleeved utilities, etc.), but stated that upon reading and researching discovered MI Homes is meeting and/or exceeding the requests being made to them and warranty their construction. Commissioner Gentry advised a level of income doesn't dictate the quality of people living in the home and changing the price and construction materials of the homes does not prevent crime from occurring because crime occurs in expensive neighborhoods as well.

Commissioner Whetstone advised the Plan Commission has approved the proposed amendment to the Ordinance and advised that the planned development meets all of the County's Ordinances that have been established. Concerns are traffic, but infrastructure is a priority to the Commissioners. Commissioner Whetstone stated that there aren't any discrepancies in the proposed Ordinance to warrant not approving the amendment of it as recommended by the Plan Commission. Commissioner Palmer advised the request is to change the zoning of the area from how it is currently zoned for use and is concerned about Marion County's participation in improving roadways in the area; 56th Street and Raceway Road. Commissioner Whetstone advised Raceway Road is Hendricks County's responsibility and stated Marion County has stated they will not be expanding 56th Street to match up with the Hendricks County side of it, but Marion County is open to improving/expanding 10th Street and 82nd Street.

Commissioner Gentry moved to approve the Ordinance for ZA 453/17: MI Homes of Indiana, L.P. as amended. Commissioner Whetstone seconded the motion and inquired if there was any further discussion.

Commissioner Gentry advised it's important that the Ordinance includes all of the agreed upon Commitments, including the short-term rental stipulation, to allow enforcement by the County. Greg Steuerwald and Tim Dombrosky advised the Commitments are part of the Ordinance for enforcement by the County, but the Covenants of the H.O.A. are not. Commissioner Whetstone withdrew the second for the motion.

Commissioner Gentry moved to approve the Ordinance for ZA 453/17: MI Homes of Indiana, L.P. as amended which shall include all of the agreed upon Commitments as recommended by the Plan Commission along with the additional Commitments recommended by the Commissioners, pending final review of the Ordinance and Commitments by Greg Steuerwald and Tim Dombrosky. Commissioner Whetstone seconded the motion the matter was approved by majority 2-1-0; Commissioner Palmer opposed the Ordinance. An Ordinance Number was not assigned to the Ordinance as it is pending final review for accuracy before assigning a number and signing the Ordinance.

IN THE MATTER OF NEW EMERGENCY MANAGEMENT DIRECTOR

Lt. Col. Robert Freese CAP, Chairman of the Emergency Management Advisory Council, commended Dave Warren for his role as the County's Emergency Management Director and introduced Sean Horan as the County's new Emergency Management Director replacing Dave Warren. Lt. Col. Robert Freese CAP reported that Sean Horan possesses many skills and qualifications directly related to his new position and the County looks forward to working with him. The Commissioners welcomed Sean Horan.

IN THE MATTER OF ELECTRONIC PERMITTING AGREEMENT

Tim Dombrosky thanked the Commissioners for their ruling on ZA 453/17 and expressed his appreciation for their comments regarding the matter and processes to assist him with future planning. Tim Dombrosky stated it's important that the types of homes desired is outlined in the County's Ordinances and advised there are modifications needed within the County's Comprehensive Plan and Zoning Ordinances to achieve this. Commissioner Palmer thanked Tim Dombrosky for his comments and agreed it is a continuing process and the annexation of the County needs to be taken in to consideration when modifying the Comprehensive Plan.

Tim Dombrosky presented an electronic permitting agreement with Butler, Fairman and Seufert, Inc. in the amount of \$19,560.00 for the professional services in connection with developing and implementing the Hendricks County Planning and Building Application Software and requested approval. Tim Dombrosky advised funds are available in his current budget to pay for the Agreement. Tim Dombrosky reported the electronic permitting process began with Schneider Corp, but the Schneider Corp. Agreement did not cover all of the necessary work to develop a full functioning permit system.

Commissioner Whetstone expressed concerns regarding there not being a cap on the hourly expenses and reimbursements and cautioned Tim Dombrosky to closely monitor the hourly expenses once the initial development phase has been completed.

Commissioner Palmer moved to approve the Agreement as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF INDOT DEOBLIGATION OF TRANSIT GRANT FUNDS LETTER

Pat Cockrum, representative from LINK Hendricks County, presented the INDOT Deobligation of Transit Grant Funds Letter to deobligate \$172,946.00 in Federal Transit Administration Funds (Section 5311) from the 2017 Operating Grant Number 18035430 and requested approval.

Commissioner Gentry moved to approve the Letter as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PUBLIC HEARING REQUEST

Julie Haan presented a proposed Ordinance approved by the Health Board to amend Ordinance Number 2017-32: Hendricks County Board of Health Ordinance for Collection of Fees and requested approval to proceed

with a Public Hearing for the matter. Julie Haan reported the amendments to the Ordinance are to increase the Pool Permit Fee from \$150.00 per year to \$200.00 per year and to increase the Home Birth Registration Fee from \$0.00 to \$35.00.

Commissioner Gentry moved to approve the matter to be heard during a Public Hearing on May 9, 2018 during the Commissioners' Meeting at 9:00 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REQUEST TO INCREASE CREDIT LIMIT

Bridgette Collins requested approval to have the credit limit increased on the Work Release credit card from \$3,000.00 to \$5,000.00 to accommodate training attendance for multiple staff members.

Commissioner Palmer moved to approve the credit limit increase to \$5,000.00 as requested. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIDGE NO. 135

John Ayers presented Supplemental Agreement No. 3 with SJCA, P.C. for Bridge No. 135 on Tudor Road for the redesign of the alternate design that was approved during the March 13, 2018 Commissioners' Meeting to address the concerns expressed by a property owner and requested approval. The redesign resulted in an increase of approximately \$7,300.00.

Commissioner Gentry moved to approve the Agreement as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF FURNITURE DISPOSAL

Kevin Cavanaugh requested four (4) pieces of damaged and unusable furniture (Surveyor's light table, Surveyor's plan cabinet, and two shelving units) be declared of no value so they can be disposed of.

Commissioner Gentry moved to declare the items of no value. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF NEW ENVIRONMENTAL HEALTH DEPARTMENT CHAIRS

Kevin Cavanaugh requested permission to purchase thirteen (13) new office chairs for the Environmental Health Department in the amount of \$9,200.00 and advised he has current funds available to cover the cost. The current chairs being replaced are approximately twenty-two (22) years old and in need of replacement.

Commissioner Gentry moved to approve the request as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF LOCAL MATCH COMMITMENT LETTER

Lise' Crouch presented a Local Match Commitment Letter to be sent to the Indiana Department of Homeland Security advising them that the County will match up to 25% of the total cost of the project to participate in the Pre-Disaster Mitigation Grant Program for 2017 (PDMC 17) to update the Hendricks County Multi-Hazard Mitigation Plan and requested approval. Lise' Crouch advised the estimated match to be approximately \$6,521.67 and stated the match would be paid from in-kind donations, as done in previous years.

Commissioner Gentry moved to approve the Letter as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REQUEST FOR COMMISSIONERS' WORKSHOP

Patricia Baldwin, on behalf of the Elected Officials, requested a Commissioners' Workshop be scheduled to discuss various issues with the Commissioners and not just with Todd McCormack. Patricia Baldwin stated the issues were mostly policy issues and not all administrative issues. Commissioner Whetstone advised that a

Workshop would be open to everyone, including the public, and would not be private like an Executive Session. Patricia Baldwin stated this request came up during the last Elected Officials Meeting on April 4, 2018 and she offered to bring the request to the Commissioners.

It was the consensus of the Commissioners to schedule the Commissioners' Workshop for April 24, 2018 at 10:30 AM to discuss the issues.

IN THE MATTER OF BRIDGE NO. 168

John Ayers reported a preconstruction conference was held for Bridge No. 168 and construction is expected to begin in June.

IN THE MATTER OF DRAINAGE COMPLAINTS

John Ayers reported there were many drainage complaints following the torrential rains on April 1, 2018 and the drainage situation was made worse due to the amount of rain and snow received over the previous week, causing the ground to be saturated and streams and ditches to rise quicker than normal. John Ayers advised those issues and complaints are being addressed as quickly as possible. Several roads were closed on April 3, 2018 but all except one were reopened on April 4, 2018.

IN THE MATTER OF RONALD REAGAN PARKWAY EXTENSION

John Ayers reported a final decision needs to be made regarding the pond locations for the Ronald Reagan Parkway north of County Road 750 North, so design submittals can be made to the Drainage Board for review and approval. American Structurepoint, Banning Engineering, and Christopher Burke all will have reviewed the design from a technical perspective and John Ayers advised it is his opinion the concept and location has been sufficiently vetted and justified. John Ayers stated the remaining issue is the property values for a couple of adjoining property owners.

Commissioner Gentry advised it's his opinion the design needs to be revised to alleviate some of the potential issues for future development grades and field entrances. John Ayers advised field entrances would be provided as has been done previously but stated the grade cannot be lowered much without creating other issues and violating flood/drainage elevations.

Commissioner Whetstone inquired as to pond locations in wetland areas being pursued by a property owner and if they can be mitigated. John Ayers advised he is not sure how they will be declared as wetlands, and it may or may not affect the project, and suggested the County move forward with the design.

It was the consensus of the Commissioners for John Ayers to move forward with the submittal of the original designs to the Drainage Board for review and approval.

IN THE MATTER OF 2017 COMMUNITY CROSSINGS GRANT SUBDIVISION PAVING PROJECT

John Ayers reported milling in subdivisions has begun in preparation for resuming the 2017 Community Crossings Grant Subdivision Paving Project this spring.

IN THE MATTER OF 2018 RESURFACING PROGRAM

John Ayers reported they have driven all County roads and are preparing the evaluations and priority rankings for the 2018 Resurfacing Program.

IN THE MATTER OF GROUNDSKEEPING EQUIPMENT

Kevin Cavanaugh reported he is working with a local dealer to prepare a proposal for a new Kubota utility vehicle to replace the current one that is approximately seven (7) years old. Kevin Cavanaugh advised the proposal will be based on trading in one of the older mowers and the current utility vehicle and will present the proposal for consideration on a future date. Funds are available in the current budget for the purchase.

It was the consensus of the Commissioners for Kevin Cavanaugh to proceed with obtaining the proposal.

IN THE MATTER OF EAST CAMPUS COMMUNITY BUILDING

The Commissioners thanked Kevin Cavanaugh for his prompt attention in assisting the Parks Department with their temporary relocation to the Fairgrounds and thanked Steve Patterson for allowing them to relocate there. The Commissioners apologized to the Parks Department for the situation at the East Campus Community Building and advised they are working to mitigate the problem as quickly as possible. Commissioner Whetstone advised that a plan needs to be put in place for the future of the East Campus Community Building and stated he would like to meet with Kevin Cavanaugh to discuss the options and tour the building.

IN THE MATTER OF WABASH VALLEY POWER SUBSTATION

Commissioner Whetstone reported negotiations continue with Wabash Valley Power for purchasing the parcel for the Substation and advised that Wabash Valley Power plans to construct a road to their facility that meets the County specifications and would need the specifications to be given to them from John Ayers.

It was the consensus of the Commissioners for Greg Steuerwald and Commissioner Whetstone to finalize the terms of the Purchase Agreement to present during the April 24, 2018 Commissioners' Meeting for approval.

IN THE MATTER OF COUNTY ATTORNEY

Greg Steuerwald reported he is working with LaDonna Hughes on updating the Ordinances for dangerous animals and neglected animals. Greg Steuerwald advised a major issue impacting the County is that there is no time limit exposure to the County for the care of animals that are confiscated and is looking to establish due process for the owner of the animal(s) to adopt them out or as a last resort, euthanize the animals. Greg Steuerwald stated the proposed language would be presented to the Commissioners once it is written.

IN THE MATTER OF WISHES TO BE HEARD

Susan Lanham, a resident at 2067 Woodcreek Drive in Avon, reported the downspouts of her neighbor's home were all tied together by the builder and routed underground to the back of the property and run out in to the yard, approximately ten (10) feet away from the property line towards Susan Lanham's property. Susan Lanham advised the water runs on to her property, leaving it muddy all of the time, and a breeding ground for mosquitos. Susan Lanham advised the area has always been a little soggy before the construction of the new home, but it is substantially worse with the added water from the neighbor's water that has been rerouted. Susan Lanham reported she and some other residents have spoken with the builder of the home regarding the rerouting of the water in the area along with the rerouting of the water that is pooling at the entrance to the subdivision on East County Road 200 North; she states the builder advised them it was not against code and was not his problem to remedy.

Tiffany Dalton advised it is not a regulated drain and suggested that Susan Lanham install a drainage tile, but the installation would require the removal of some of the trees on the property. Tiffany Dalton reported she has spoken with the builder and the builder advised that once the weather changes he plans to regrade the lot and plant grass seed.

Commissioner Whetstone advised Susan Lanham that the matter needs to be heard by the Drainage Board and instructed her to continue to work with Tiffany Dalton to follow the process to present it to the Drainage Board.

IN THE MATTER OF COMMISSIONERS AND ELECTED OFFICIALS

Commissioner Gentry reported he and Nancy Marsh assisted a taxpayer with a recent problem and inquired if there was any way for the tax statements to state "Fire Territory" to clarify the confusion caused with properties that are not inside corporate limits. Nancy Marsh advised certain townships and towns already bill for a separate "Fire Territory" and there isn't any way to separate the items out any further without creating more confusion.

There was discussion amongst the Commissioners and John Ayers regarding the erosion White Lick Creek is causing near Torrey Pine Drive. Commissioner Whetstone advised the homeowner has been instructed to

contact their insurance carrier and to let the carrier lead the process for protecting their home and stated he had contacted the Town of Brownsburg regarding a Grant Program they may be able to utilize to assist with the stabilization of the erosion.

IN THE MATTER OF QUESTIONS FROM THE PRESS

No items presented.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the Human Resources Report of March 26, 2018 through April 6, 2018 from Erin Hughes.
2. Receipt was acknowledged for the weekly Highway Department Report of March 19, 2018 through March 23, 2018 and March 24, 2018 through March 29, 2018 from Curt Higginbotham.
3. Receipt was acknowledged for the Executive Director's Report of April 10, 2018 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of April 10, 2018 from Doug Morris.
5. Receipt was acknowledged for the Animal Control & Shelter Report for March 2018 from LaDonna Hughes.
6. Receipt was acknowledged for the Health Department's 2017 Annual Report from the Health Board.

CORRESPONDENCE RECEIVED

1. Memo from Paul Miner, Hendricks County Park Board.

IN THE MATTER OF ADJOURNMENT

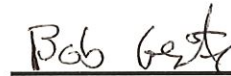
Commissioner Palmer moved to adjourn the Hendricks County Commissioners' Meeting at 11:17 AM on Tuesday, April 10, 2018. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.



Matthew D. Whetstone, President



Phyllis A. Palmer, Vice President



Bob Gentry, Member