



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE MAY 22, 2018 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, May 22, 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 |
| Mila M. Shaffer | Administration and Public Affairs |
| Gregory E. Steuerwald | Attorney |
| Eric Wathen | Councilman, President |
| 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 |
| Larry Scott | Assessor |
| Jim Mardis | Regional Sewer/NPES Director |
| Tim Dombrosky | Planning Director |
| Suzanne Baker | Senior Planner |
| Doug Morris | I.T. Director |
| Jeremy Weber | Parks and Recreation Superintendent |
| Susan Bentley | Chief Probation Department |
| Shawn Shelley | Treasurer |
| Dr. David Stopperich | Health Officer |
| Kandi Jamison | Director of Public Health Nursing |
| Lisa Chandler | Environmental Health Team Leader |
| Dave Richardson | Government Center Security |
| 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 Palmer moved to approve the Minutes of the May 9, 2018 Commissioners' Meeting as amended. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Questions regarding the Claims were answered. Commissioner Gentry moved to approve Direct Deposit Check Numbers 164754 through 165268 and all Budgetary Claims presented from the Auditor's Office for the period beginning May 10, 2018 and ending May 23, 2018, dated May 23, 2018. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PROBATION DEPARTMENT POLICY MANUAL UPDATE

Commissioner Whetstone reported suggested revisions to the Hendricks County Employee Manual and the

proposed Probation Policy Manual update were discussed by the Council and the Benefits Committee during their May 1, 2018 Meetings. Commissioner Whetstone advised the Council and Benefits Committee were receptive to the proposed revisions for the FMLA banking of rollover PTO in excess of the allowed annual amounts and the seventy (70) hour PTO payout to employees who resign with at least giving a two (2) week notification prior to their resignation. Commissioner Whetstone advised Susan Bentley that the Commissioners will be voting on these revisions to the County Employee Manual later on in the Meeting and that pending approval by the Commissioners today and approval by the Council on June 5, 2018, the revised Employee Manual will be sent out to all County employees afterwards.

Commissioner Gentry moved to approve the proposed revisions to the Probation Department Policy Manual to match the proposed revisions to the Hendricks County Employee Manual, if the proposed County Manual revisions are approved by the Commissioners and the Council. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SAFETY ACTION PLAN FOR THE GOVERNMENT CENTER

Kevin Cavanaugh requested the matter be tabled until the June 12, 2018 Commissioners' Meeting to allow the Elected Officials ample time to review the Plan and submit any recommendations or questions they may have.

It was the consensus of the Commissioners to table the matter until the June 12, 2018 Commissioners' Meeting.

IN THE MATTER OF BID OPENING FOR BRIDGE NO. 192

Commissioner Whetstone closed the bids for Bridge No. 192 on County Road 1100 South over McCracken Creek at 9:06 AM. John Ayers opened and read the following bids:

| PLANHOLDER | BID AMOUNT |
|---------------------------------|-------------------|
| Calumet Civil Contractors, Inc. | \$942,000.00 |
| Duncan Robertson, Inc. | \$1,044,563.70 |
| HIS Constructors, Inc. | \$1,112,752.00 |
| Morphey Construction | \$998,000.00 |

John Ayers stated he would take the bids under advisement and would present his recommendation to the Commissioners on a later date.

IN THE MATTER OF AVON-WASHINGTON TOWNSHIP PUBLIC LIBRARY BOARD APPOINTMENT REQUEST

Laurel Setser, representative from the Avon-Washington Township Public Library, presented a Certificate of Appointment form and requested Lynne Stuard be reappointed to serve another four (4) year term on the Avon-Washington Township Public Library Board.

Commissioner Gentry moved to approve the request as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Palmer requested the Library let the Commissioners know of any other candidates who express interest in serving on the Board when the appointments come up in the future.

IN THE MATTER OF STEELE BENEFIT SERVICES

Caitie Hodge, Benefit Consultant from HJ Spier Co., Inc., and Erin Hughes presented a Letter of Appointment, Client Services Agreement with Statement of Work, and Business Associate Agreement with Steele Benefit Services and requested approval. Caitie Hodge reported that during the May 1, 2018 Benefits Committee Meeting, the Committee approved utilizing Steele Benefit Services to assist with the Open Enrollment process for the County, as well as to assist employees on an ongoing basis for their benefit needs and maintenance throughout the year. Caitie Hodge advised the cost is approximately \$9,000.00 per year (\$1,500.00 annually plus \$625.00 per month). Erin Hughes advised the Agreements had been revised with the recommendations made by Counsel.

Commissioner Gentry moved to approve the Letter and Agreements as presented. Commissioner Palmer

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

IN THE MATTER OF AMENDMENT ONE TO THE PLAN SUPERVISOR AGREEMENT

Erin Hughes presented Amendment One to the Plan Supervisor Agreement between Unified Group Services, Inc. (Unified) and the County to add a \$1.00 per employee per month fee for Unified to prepare the monthly reports for RX Help Centers and requested approval. Caitie Hodge reported this new reporting will allow the County to see the actual savings provided by utilizing RX Help Centers. Erin Hughes advised that HR and Payroll will now be able to clearly see who RX Help Centers is charging the County for and can remove any individuals who are no longer on the plan.

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 EMPLOYEE EVALUATIONS

Erin Hughes reported Employee Evaluations for County employees are due by June 1, 2018 and inquired when the Commissioners would be conducting the Evaluations for their appointed employees.

It was the consensus of the Commissions for Mila Shaffer to provide notice of an Executive Session on May 29, 2018 at 9:00 AM and to schedule the Evaluations thirty (30) minutes apart. Commissioner Whetstone advised the appointed employees would need to submit their self-evaluation to Mila Shaffer prior to May 29, 2018.

IN THE MATTER OF ZA 455/18: DANIEL PRICE

Tim Dombrosky presented an Ordinance to amend the zoning map of Hendricks County, from AGR/Agriculture Residential District to GB/General Business District, commonly known as ZA 455/18: Daniel Price, S05-T15N-R2E, Washington Township, parcel totaling 4.97 acres, located on and along the west side of Raceway Road, approximately 0.64 mile north of U.S. Highway 36 and recommended approval. Tim Dombrosky advised the amendment is to allow a self-storage facility containing six (6) buildings with eighteen (18) units per building. Tim Dombrosky stated the Plan Commission unanimously approved this zoning amendment during their May 9, 2018 Meeting, 5-0-0 (two (2) members were absent), with the concerns from two remonstrators being addressed in the commitments.

Commissioner Gentry moved to approve the Ordinance as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Whetstone assigned Ordinance No. 2018-11 to ZA 455/18: Daniel Price

IN THE MATTER OF ENDEAVOR COMMUNICATIONS

Kevin Cavanaugh presented the Endeavor Communications Antenna Mounting Lease Agreement to install their Wi-Fi antennas and equipment at the Courthouse and in the underground conduit between the Courthouse and the Courthouse annex and requested approval. Kevin Cavanaugh advised the terms of the Agreement are the same as the prior Agreement for the Courthouse Annex.

Commissioner Whetstone 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 CIRCUIT COURT CARPET REPLACEMENT

Kevin Cavanaugh reported replacement of the carpet in Circuit Court is scheduled to begin on May 29, 2018.

IN THE MATTER OF GOVERNMENT CENTER SIGNAGE

Kevin Cavanaugh reported the Government Center signage project is back on track and hopes to have the final proposal from the vendor to present during the June 12, 2018 Commissioners' Meeting.

IN THE MATTER OF CHANGES TO THE ASSESSOR'S OFFICE AND AUDITOR'S OFFICE

Kevin Cavanaugh reported the plans and estimates are being finalized for the proposed changes to the Assessor's Office and plans to present the full proposal during the June 12, 2018 Commissioners' Meeting to

ask for approval. If the proposal is approved, Kevin Cavanaugh advised the changes would be done concurrently with the changes to the Auditor's Office.

IN THE MATTER OF EAST CAMPUS COMMUNITY BUILDING

Kevin Cavanaugh reported progress continues in the Parks and Recreation Department Offices and wanted to replace the carpet in the area while the staff and furniture are not in the area, but due to timing issues and water damage discovered to some drywall, the carpet will not be able to be replaced at this time.

Commissioner Palmer inquired if another flooring option besides carpet would better serve the area; i.e. tile, waterproof vinyl, etc. Kevin Cavanaugh advised carpet is the best and most cost-effective option for the area, considering the unknown life expectancy of the East Campus Community Building.

IN THE MATTER OF MECHANICAL SYSTEMS MAINTENANCE PROPOSALS

Kevin Cavanaugh reported specifications and proposal language is being developed to solicit proposals for new contracts for the maintenance of the mechanical systems at several County buildings. Kevin Cavanaugh advised there would not be a formal bid process, unless the cost threshold of the proposals requires one.

IN THE MATTER OF COURTHOUSE SPRUCE TREE

Kevin Cavanaugh reported the spruce tree at the northeast corner of the Courthouse property is under stress and losing needles and limbs and will be evaluated by an arborist to determine the life expectancy and/or possible treatment of the tree. Kevin Cavanaugh advised the Town of Danville has previously requested permission to plant, at their expense, a new spruce tree at the southeast corner of the Courthouse property. Kevin Cavanaugh stated there is adequate room for a new tree at the southeast corner of the property and does not have any issues with the Town of Danville's request and recommended approval.

Commissioner Gentry moved to approve the Town of Danville's request to plant a new spruce tree, at their expense, at the southeast corner of the Courthouse property. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RENEWAL OF THE AED MAINTENANCE CONTRACT

Kevin Cavanaugh reported the two (2) year AED maintenance contract expires in June and advised he plans to present a new contract for consideration during the June 12, 2018 Commissioners' Meeting.

IN THE MATTER OF REGIONAL DEVELOPMENT AUTHORITY INFORMATION MEETING

John Ayers reported he and Commissioner Palmer met with representatives from the Northwest Indiana Regional Development Authority (RDA), American Structurepoint, Boone County, Whitestown, and Lebanon on May 17, 2018 to learn about utilizing RDA's as a funding source for infrastructure projects.

IN THE MATTER OF RONALD REAGAN PARKWAY EXTENSION FUNDING

John Ayers reported that upon consultation with Appian and American Structurepoint, he plans to apply for a BUILD Grant to assist with the funding for the Ronald Reagan Parkway Extension. John Ayers advised the results from the INFRA Grant he applied for last fall are expected in the next couple of weeks.

IN THE MATTER OF 2017 COMMUNITY CROSSINGS GRANT

John Ayers reported the subdivision resurfacing work performed under the 2017 Community Crossings Grant has been completed.

IN THE MATTER OF 2018 COMMUNITY CROSSINGS GRANT

John Ayers reported INDOT will announce the award recipients of the 2018 Community Crossings Grant in November of 2018, which will delay most work under the Grant until 2019.

IN THE MATTER OF BRIDGE NO. 43

John Ayers reported Bridge No. 43 on County Road 1000 East, north of County Road 600 North, is complete and has been reopened.

IN THE MATTER OF BRIDGE NO. 135

John Ayers reported the deck for Bridge No. 135 on Tudor Road is scheduled to be poured on May 22, 2018.

IN THE MATTER OF ROAD CLOSURES

John Ayers reported County Road 300 South near County Road 250 West will be closing for the replacement of Bridge No. 168 and Raceway Road will be closing in between Morris Street and County Road 200 South for the replacement of a culvert.

IN THE MATTER OF 2017 ANNUAL OPERATIONAL REPORT FOR LOCAL ROADS & STREETS

John Ayers presented the Highway Department's 2017 Annual Operational Report for Local Roads and Streets to be submitted to INDOT by June 1, 2018 and recommended approval.

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

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers reported he and Greg Steuerwald are meeting with INDOT, American Structurepoint, and Superior Construction on May 23, 2018 to discuss their unresolved issues regarding the Ronald Reagan Parkway.

John Ayers presented a conversation log between two (2) landowners and field archeologists who were out performing work for the County for the Ronald Reagan Parkway project, outlining some of the conversations that took place between the individuals.

IN THE MATTER OF HENDRICKS COUNTY EMPLOYEE MANUAL REVISIONS

Todd McCormack presented the three proposed revisions to the Hendricks County Employee Manual as drafted and recommended by the County's Labor Law Attorney, Karyn McHone, upon recommendation of the Commissioners, Council, and Benefits Committee and requested approval. The revisions are as follows:

1. Change the FMLA Calculation Method, effective July 21, 2018, from a "rolling" method measured backwards from the date of the first FMLA leave usage to a "look forward" method measured from the date of the first FMLA leave usage. During the 60-day transition period, employees qualified to take FMLA leave between May 22, 2018 and July 21, 2018 will do so under whichever method yields the greatest benefit to the employee.
2. Allow accrued PTO hours in excess of the amount allowed to be carried over at the end of the calendar year, shall automatically be placed in an FMLA Bank to be utilized for FMLA qualifying events only. FMLA Bank hours will not be paid out upon retirement, resignation, or termination of employment (involuntary or voluntary). This shall also apply to any Sick leave that was converted to accrued PTO and not used by September 1, 2018.
3. In the event an employee resigns his or her employment and provides at least two (2) weeks' notice of the resignation, the employee may be paid out his or her accrued PTO, in an amount up to a maximum of seventy (70) hours, upon separation. Accrued PTO will not be paid out (in full or in part) in the event of involuntary termination, or in any circumstance other than those events identified above (in the Manual).

Commissioner Whetstone moved to approve the revisions as presented, pending final approval by the Council on June 5, 2018 for excess accrued PTO to be placed in an FMLA Bank and for the pay out of up to seventy (70) hours of accrued PTO to an eligible employee who resigns and provides at least two (2) weeks' notice of the resignation. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Whetstone instructed Todd McCormack to send the revisions to the Council for the June 5, 2018 Meeting. If approved by the Council on June 5, 2018, the revised Hendricks County Employee Manual will be sent out to all County employees.

Commissioner Whetstone advised that any further proposed revisions to the Manual need to be presented to the Benefits Committee for consideration during their July 24, 2018. Any revisions approved by the Benefits

Committee will be recommended to the Commissioners for consideration during a Commissioners' Meeting.

IN THE MATTER OF MEETING WITH THE PARKS AND RECREATION BOARD

Todd McCormack reported attempts are still being made to confirm a date for himself, Commissioner Whetstone, Greg Steuerwald, Eric Wathen, Larry Hesson, and Mike Rogers to meet with Bill Harrington. Commissioner Whetstone conferred with Greg Steuerwald and Eric Wathen and advised the morning of May 29, 2018 would work best to hold the meeting and requested Todd McCormack schedule the meeting.

IN THE MATTER OF COMMISSIONERS' BUDGET HEARING

Todd McCormack reported Nancy Marsh would like to schedule the Commissioners' Budget Hearing for Tuesday, July 24, 2018 at 1:00 PM and inquired if this date would be suitable.

It was the consensus of the Commissioners to schedule their Budget Hearing for July 24, 2018 at 1:00 PM.

IN THE MATTER OF QUITCLAIM DEED FOR INDOT

Todd McCormack reported Mila Shaffer received a request from INDOT for the Commissioners to execute a quitclaim deed to them for the release of a perpetual exclusive easement from some parcels owned by the B & O Trail Association. Todd McCormack advised the information received was sent out to John Ayers and Greg Steuerwald on May 15, 2018 and John Ayers had responded advising he did not see a problem with the Commissioners signing the quitclaim deed for INDOT but had not received a response from Greg Steuerwald regarding the matter.

Greg Steuerwald advised he did not see an issue with the quitclaim deed but does not believe there is a need for a resolution from the Council to go along with the deed. Council President Eric Wathen advised a resolution has not been needed in past similar requests. Mila Shaffer advised she would contact INDOT to clarify why they were requesting a resolution by the Council in conjunction with the quitclaim deed.

It was the consensus of the Commissioners to table the matter until the June 12, 2018 Commissioners' Meeting.

IN THE MATTER OF ELECTED OFFICIALS

Sheriff Brett Clark reported the new body scanner has already proven to be an asset. Sheriff Brett Clark extended an invitation to the Commissioners to attend a roundtable discussion that is scheduled for 10:00 AM on May 23, 2018 at the Jail with some Sheriffs from surrounding counties. Sheriff Brett Clark advised he plans to schedule another meeting with the Jail Financing Committee and will provide the details later.

IN THE MATTER OF WISHES TO BE HEARD

Earl Silvis, a resident at 833 N. County Road 450 E. in Avon, reported he attended the April 11, 2017 Commissioners' Meeting [sic] regarding a drainage issue at his home and advised John Ayers stated the Highway Department would come out to the area and dip out the roadside ditches and reset the driveway culverts. Earl Silvis advised the roadside ditches were cleaned but the culverts were never reset. (Earl Silvis attended the April 11, 2017 Drainage Board Meeting, not the Commissioners' Meeting. Earl Silvis attended the July 25, 2017 and the August 22, 2017 Commissioners' Meetings.) Earl Silvis stated there is still a drainage issue at his property and in the surrounding area and requested assistance from the Commissioners.

John Ayers advised there are a couple of issues with the property; the water coming from the property across the street which has been annexed by the Town of Danville and the area behind the property that is very flat and has no grade to assist with the flow of the water. John Ayers stated the roadside ditches were cleaned in front of the property, along with the ditch behind the property, but due to the flat elevation of the property there is no way to force the water to run the direction Earl Silvis would like it to.

Earl Silvis advised the driveway culverts under his driveway and his neighbor's driveway are clogged and not allowing the water to drain.

John Ayers stated he would shoot the elevations of the driveway culverts again but if they are not holding back

the water, they will not be replaced. John Ayers and Curt Higginbotham advised the road is no longer in the County's jurisdiction as it was annexed by the Town of Danville, but Earl Silvis' property was not annexed.

It was the consensus of the Commissioners to shoot the elevations and review the matter further during the June 12, 2018 Commissioners' Meeting.

IN THE MATTER OF COUNTY ATTORNEY

Greg Steuerwald reported the eminent domain matter has been filed and is waiting on the appraisals to come in and if decided, the matter would proceed to mediation.

Greg Steuerwald reported Wabash Valley Power is calculating the costs for the roadway (roughly estimated between \$300,000.00-\$400,000.00) to adjust the purchase price of the parcel for the roadway and will be reaching out to the Commissioners to discuss. Commissioner Whetstone advised he received a message from them on May 21, 2018 and would be contacting them.

Greg Steuerwald reported the proposed revisions to the Ordinances for dangerous and/or neglected animals has been finalized and requested permission to proceed with the Notice of Public Hearing for the matter. Greg Steuerwald advised in the amended Ordinances the owner of the animal(s) will have to post a bond to cover the County's expenses if they wish to appeal to the Commissioners regarding the adoption or euthanization of their animal(s).

Patricia Baldwin thanked Greg Steuerwald and LaDonna Hughes for revising the Ordinances and stated the preference in some cases is not to file criminal action due to questionable competence and feels the revisions are long overdue.

Commissioner Palmer inquired if Greg Steuerwald foresees a lot of appeals going to the Commissioners. Greg Steuerwald advised he does not foresee this being an issue as there are not many cases and in most cases the owner quickly resolves the matter without further intervention by the County.

Commissioner Palmer moved to approve the request to proceed with publishing the Notice of Public Hearing to be held during the June 12, 2018 Commissioners' Meeting. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF QUESTIONS FROM THE PRESS

No press in attendance.

IN THE MATTER OF COMMISSIONERS

Commissioner Palmer reported Richard Carlucci, former Town Manager for the Town of Plainfield, passed away on May 21, 2018. Commissioner Whetstone led a moment of silence in honor of Richard Carlucci. Commissioner Palmer advised that in lieu of flowers, those interested can make donations to either the Alzheimer's Association or the Plainfield Parks Beneficent Fund, to provide memberships for qualified individuals to the Richard A. Carlucci Recreation and Aquatic Center.

Commissioner Palmer reported she attended the Peace Officers Memorial Day presentation at the Courthouse on May 15, 2018 and advised it is a nice memorial tribute to fallen Peace Officers and their families.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

CHECKS RECEIVED

| | | | |
|----------------|-------------|---------------------------|-------------------------------------|
| 1. \$24,773.00 | OB Services | Claim No. 0AB224233-01-01 | Total Loss of 2016 Dodge Charger |
| 2. \$4,255.00 | OB Services | Claim No. 0AB224233-01-01 | Supplemental Payment for Total Loss |

TITLES ENDORSED

| | | | | |
|---------|--------|-----------|------------------------|------------|
| 1. 2008 | Impala | Chevrolet | VIN: 2G1WB58KX81207219 | Total Loss |
|---------|--------|-----------|------------------------|------------|

STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the I.T. Department Report of May 22, 2018 from Doug Morris.
2. Receipt was acknowledged for the Human Resources Report of May 7, 2018 through May 18, 2018 from Erin Hughes.
3. Receipt was acknowledged for the weekly Highway Department Report of April 30, 2018 through May 4, 2018 and May 7, 2018 through May 11, 2018 from Curt Higginbotham.
4. Receipt was acknowledged for the County Treasurer's Monthly Report for the month ending April 30, 2018 from Shawn Shelley.
5. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period March 1, 2018 through March 31, 2018 from Tim Dombrosky.

CORRESPONDENCE RECEIVED

1. Memo from Paul Miner, Hendricks County Parks and Recreation Board.
2. Notice of Public Hearing by the Plainfield Plan Commission from Kimley Horn for a Petition for Docket No. DP-18-004: 10095 Bradford Road.
3. Public Notice from American Structurepoint, pursuant to IC 14-11-4, notifying adjacent property owners of permit applications to provide them an opportunity to present their views to the Department of Natural Resources prior to action for a project to be located in the southeastern corner of the intersection of County Road 900 East and County Road 750 North.

IN THE MATTER OF ADJOURNMENT

Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:30 AM on Tuesday, May 22, 2018. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.



Matthew D. Whetstone, President



Phyllis A. Palmer, Vice President



Bob Gentry, Member