



## **HENDRICKS COUNTY BOARD OF COMMISSIONERS** **MINUTES OF THE JUNE 12, 2018 MEETING**

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, June 12, 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
Nancy E. Marsh	Auditor
John E. Ayers	Engineer
Erin Hughes	Human Resources Administrator
Kevin Cavanaugh	Facilities Manager
Bart Harvey	Highway and Bridge Project Manager
Curt Higginbotham	Highway Department Superintendent
Larry Scott	Assessor
Nicole Lawson	Chief Deputy Assessor
Jim Mardis	Regional Sewer/NPES Director
Tim Dombrosky	Planning Director
Nathan Schall	Planner
Kimberly Bowman	Address Coordinator
Tonya Cottrell	Permit Coord./Flood Mgr./CRS Coord.
Doug Morris	I.T. Director
Shawn Shelley	Treasurer
Dr. David Stopperich	Health Officer
Julie Haan	Environmental Health Director
Dave Richardson	Government Center Security
Eric Ivie	Parks & Recreation Assistant Superintendent
Sean Horan	Emergency Management Director
LaDonna Hughes	Animal Shelter Director/Chief Animal Control Officer
Theresa Lynch	Recorder
Catherine Haines	Court Administrator

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

Commissioner Whetstone opened the meeting at 9:04 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.

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### **IN THE MATTER OF MINUTES**

Commissioner Palmer moved to approve the Minutes of the May 22, 2018 Commissioners' Meeting and the Minutes of the May 29, 2018 Commissioners' Executive Session as amended. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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### **IN THE MATTER OF CLAIMS**

Questions regarding the Claims were answered. Commissioner Gentry moved to approve Payroll Check

Numbers 110392 through 110397, Direct Deposit Check Numbers 165269 through 166276 and all Budgetary Claims presented from the Auditor's Office for the period beginning May 24, 2018 and ending June 13, 2018, dated June 13, 2018. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF SAFETY ACTION PLAN FOR THE GOVERNMENT CENTER**

Kevin Cavanaugh presented the Hendricks County Facilities Safety Action Plan for the Government Center and advised it has been reviewed by the Elected Officials and requested approval.

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

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**IN THE MATTER OF ELECTED OFFICIALS**

No items presented.

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**IN THE MATTER OF PUBLIC HEARING TO AMEND ORDINANCE NO. 2000-30: HENDRICKS COUNTY ANIMAL CONTROL/SHELTER ORDINANCE MANUAL**

Commissioner Whetstone opened the Public Hearing to amend Hendricks County Ordinance No. 2000-30: Hendricks County Animal Control/Shelter Ordinance Manual at 9:08 AM. There were no concerns or objections presented and Commissioner Whetstone closed the Public Hearing at 9:09 AM. Greg Steuerwald requested the matter be continued to the June 26, 2018 Commissioners' Meeting to allow additional time for clarification of the language.

It was the consensus of the Commissioners to table the vote until the June 26, 2018 Commissioners' Meeting.

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**IN THE MATTER OF OSHA AND ACTIVE SHOOTER TRAINING**

Erin Hughes presented an E-Learning Agreement from Gregory & Appel Insurance in the amount of \$2,000.00 (\$4.00 per employee x 500 employees) for unlimited use of the OSHA E-Learning System for a period of one (1) year. Erin Hughes reported using this product will allow the County to have online access to the required OSHA training videos as well as online access to additional training videos on various topics that can be tailored specifically to each department; OSHA, supervisor training, etc. Erin Hughes advised she has funds available in her Budget for the product and requested approval.

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

Erin Hughes requested permission to conduct Active Shooter Training for all County employees and advised the training will be provided by the Sheriff's Department and should last approximately two to two and one-half hours.

It was the consensus of the Commissioners to proceed with Active Shooter Training for all County employees.

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**IN THE MATTER OF LINK'S 5311 OPERATING/5339 CAPITAL GRANT APPLICATION FOR 2019**

Pat Cockrum, representative from LINK Hendricks County, presented their 5311 Operating/5339 Capital Grant Application for 2019 and requested approval to proceed with submitting the Application to INDOT. This is the same pass-through grant as applied for in years' past.

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

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**IN THE MATTER OF DOWNTOWN DANVILLE PARTNERSHIP APPOINTMENT**

Christa Miller, Downtown Danville Partnership Executive Director, requested an appointment be made to replace Nicholas Hufford as the County's representative since he is no longer a County employee.

Commissioner Palmer moved to appoint Tim Dombrosky and to allow Nathan Schall to attend as an alternate when needed. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF HENDRICKS COUNTY COMPREHENSIVE EMERGENCY  
MANAGEMENT PLAN**

Sean Horan presented the amended Hendricks County Comprehensive Emergency Management Plan (CEMP) and requested approval. Sean Horan advised the amendments were to update the name of the Emergency Management Director, update the signatory page, and to remove the Mounted Search and Rescue Service as the County no longer has this service.

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

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**IN THE MATTER OF JOINT ADDRESSING CHANGES WITH THE TOWN OF PITTSBORO**

Kim Bowman and Tonya Cottrell advised they have been working with John Ayers, Steve Maple, representative from the Town of Pittsboro, and Doug Burris, representative from 911 regarding some proposed joint addressing changes with the Town of Pittsboro due to some recent annexations by the Town. Steve Maple reported the proposed changes are recommended by the local police and fire departments and advised they will be making their formal request to the Plan Commission, and if approved by the Plan Commission, the matter would then come to the Commissioners for a final decision. Tonya Cottrell stated they would like to have a favorable recommendation from the Commissioners to present with their request to the Plan Commission. Tonya Cottrell and Steve Maple stated that there will also be a joint Public Meeting regarding the changes.

It was the consensus of the Commissioners to proceed with presenting the request to the Plan Commission.

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**IN THE MATTER OF ASSESSOR'S OFFICE REMODELING**

Kevin Cavanaugh presented the layout and The Guy Corporation Contract, the Electric Plus Proposal, and the OfficeWorks Proposal for the proposed Assessor's Office remodeling in the amount of \$51,433.57 and requested approval. Kevin Cavanaugh advised that if approved, funds would be transferred from other unused line items to cover the costs for the project. Kevin Cavanaugh advised this project is for a reconfiguration of the Assessor's Office and installation of eight (8) foot tall panel walls to create individual work areas for all staff members. Larry Scott advised the changes are being requested to allow more privacy.

Commissioner Palmer stated the current layout and the proposed layout are not user friendly to the taxpayers and advised it is her responsibility to look out for the taxpayer who funds government projects.

Commissioner Gentry moved to approve the items as presented. Commissioner Whetstone seconded the motion and the motion was approved by majority 2-1-0. Commissioner Palmer opposed the motion.

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**IN THE MATTER OF GOVERNMENT CENTER ENTRY DOORS AND TRANSOMS**

Kevin Cavanaugh presented the Door Closer Service Co., Inc. Proposal in the amount of \$8,625.00 for the replacement of all window units in the Government Center entry doors and transoms and requested approval. Kevin Cavanaugh advised current funds are available for the project.

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

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**IN THE MATTER OF RENEWAL OF THE AED MAINTENANCE AGREEMENT**

Kevin Cavanaugh presented the Cardiac Science Program Purchase Agreement in the amount of \$9,908.88 for a two-year maintenance contract for the AED units and requested approval. Kevin Cavanaugh advised current funds are available for this Agreement.

Commissioner Gentry moved to approve the Agreement as presented. Commissioner Palmer seconded the

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

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**IN THE MATTER OF GOVERNMENT CENTER SIGNAGE**

Kevin Cavanaugh presented the ASI Signage Innovations Quote in the amount of \$11,217.00 for the signage in the Government Center and requested approval. Kevin Cavanaugh advised current funds are available for this Quote.

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

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**IN THE MATTER OF RECOMMENDATION FOR ADMINISTRATIVE SETTLEMENT LETTER**

John Ayers presented the Recommendation for Administrative Settlement Letter for the right-of-way purchase from 56<sup>th</sup> Street Associates II, LLC. in the amount of \$280,000.00 and recommended approval.

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

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**IN THE MATTER OF BRIDGE NO. 192**

John Ayers presented the Contract from Calumet Civil Contractors, Inc. for Bridge No. 192 (County Line Road South over McCracken Creek) in the amount of \$942,000.00 and recommended approval. John Ayers reported it was discovered that outdated plans were provided to all bidders who bid on this project and advised the outdated plans did not skew the bids since they were provided to all bidders, but this error may result in a small change order for the project.

Commissioner Gentry moved to approve the Contract as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously.

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**IN THE MATTER OF BRIDGE NO. 186**

John Ayers presented the Contract for Engineering Services from Beam, Longest and Neff, LLC. for Bridge No. 186 (County Road 300 East over Cosner Creek) in the amount of \$156,750.00 and recommended approval.

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

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**IN THE MATTER OF CULVERT NO. EE-010**

John Ayers presented the Contract for Engineering Services from Beam, Longest and Neff, LLC. for Culvert No. EE-010 (County Road 550 North over branch of west fork of Big Walnut Creek) in the amount of \$106,800.00 and recommended approval.

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

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**IN THE MATTER OF WISHES TO BE HEARD**

Eric Ivie reported the Parks and Recreation Department Offices moved back in to the East Campus Community Building on June 11, 2018 and thanked the Commissioners for their swift action to remedy the situation by approving the minor renovations and thanked Kevin Cavanaugh and the Facilities Department staff in assisting with the move and renovations. Eric Ivie advised that Steve Patterson and the 4-H Fairgrounds were a tremendous help in the process and thanked them for their hospitality for housing the department while the renovations took place.

Earl Silvis, a resident at 833 N. County Road 450 E. in Avon, reported that since the May 22, 2018 Commissioners' Meeting he discovered water is coming from underneath County Road 450 East from where a gas line was placed under the road and is concerned the road will cave in from the water. Earl Silvis also

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advised there is water coming from 10<sup>th</sup> Street that contributes to the issue.

John Ayers reported they reviewed the area and checked the elevations as directed after the May 22, 2018 Commissioners' Meeting and advised that in August of 2017 the Highway Department dredged the roadside ditch down approximately one (1) foot in this area and that in October of 2017 Murrain Excavating dredged the area to the east behind the homes in an attempt to exhaust all efforts to assist in directing the water away from the area. John Ayers advised the issue still remains that the area is too flat to allow the water to flow away from the property as Earl Silvis is requesting. John Ayers stated the driveway pipe on the neighbor's property to the south is approximately one (1) inch higher than the pipe on the Silvis property and stated that lowering the neighbor's pipe would require the removal of a large tree belonging to them and an elevation change of one (1) inch would not cause any significant change in the flow of the water. John Ayers advised there is water coming from 10<sup>th</sup> Street and stated there is approximately one hundred and fifty (150) feet of ditch that could be cleaned out to force the water to drain to the east a little, or possibly build a dike, but the steeper fall is still towards the south and we would only be transferring the issue to a different area.

Curt Higginbotham stated the County has no jurisdiction of the roadway in this area. John Ayers advised the Town of Danville annexed this section of the roadway in 2006 and stated the County has made numerous attempts to resolve the drainage issue, as a courtesy to the property owners, since it was an issue prior to the annexation.

Earl Silvis stated that since the Town of Danville annexed the roadway then the driveway culverts belong to the Town of Danville. John Ayers advised Earl Silvis that the driveway culverts belong to the property owners and are the responsibility of the property owners to maintain and replace if needed. John Ayers stated they would only be replaced at the County's or Town's expense if they were removed for roadside drainage or other road work. Earl Silvis was not happy with this and argued the maintenance and responsibility of the culverts.

Commissioner Whetstone requested John Ayers review the issue of water coming under the road as Earl Silvis states it does. John Ayers advised this would be the responsibility of the Town of Danville and stated he would contact Gary Eakin with the Town of Danville.

Earl Silvis inquired why his driveway pipe was not dug out and reset. John Ayers advised that the roadside ditch was dug out, but that the elevations did not require replacement of his driveway pipe and that lowering his driveway pipe would only result in more water being trapped in the ditch in front of the property. Earl Silvis disagreed with this. Commissioner Whetstone advised Earl Silvis that John Ayers is the County Engineer and the Commissioners trust his recommendations and the elevations did not require the replacement. John Ayers advised that if Earl Silvis could obtain the written permission from the neighbor to his south to remove their tree that the County would consider lowering the neighbor's driveway pipe the one (1) inch, which is the difference in the elevation of the pipes.

Earl Silvis inquired if the County would reimburse him if he replaced and lowered his own driveway pipe and it corrected the drainage issue. Commissioner Whetstone and Greg Steuerwald advised Earl Silvis that the County can't do this as it is not in the County's jurisdiction.

Commissioner Whetstone advised that John Ayers will discuss the drainage issue in the area, the clog at 10<sup>th</sup> Street, and the jurisdiction with Gary Eakin from the Town of Danville. John Ayers advised he would contact Earl Silvis to update him after his conversation with Gary Eakin.

Paul Miner, Parks and Recreation Board President, reported an offer was received from the Town of Plainfield in regards to terminating the Sodalis Park Lease and advised the Town of Plainfield is wanting to partner with the Parks and Recreation Department for Sodalis Park after the termination. Paul Miner advised he would provide an update as the matter progresses.

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#### IN THE MATTER OF ROAD CLOSURES

John Ayers reported that 10<sup>th</sup> Street, just west of the Ronald Reagan Parkway, has reopened and that the

intersection of County Road 100 North and County Road 900 East has been closed for the roundabout construction project.

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**IN THE MATTER OF COUNTY ROAD 700 WEST**

John Ayers reported there have been complaints from the Mill Creek School District and residents about the condition of County Road 700 West, south of US 40, that runs through Hendricks County, Putnam County, and Morgan County. John Ayers advised that the Hendricks County controls two (2) segments of the road totaling 0.88 miles, with a 1.5 mile gap in between the segments that is in Putnam County's jurisdiction, and south of that area is a 0.50 mile segment that is in Morgan County's jurisdiction. John Ayers advised Hendricks County has recently paved our segments, but Putnam County and Morgan County have not paved their segments and advised those areas are in poor condition. John Ayers has notified Putnam County and Morgan County of the complaints and stated we cannot force the other counties to pave their segments and the segments are not in Hendricks County's jurisdiction.

Commissioner Palmer agreed with John Ayers and stated she read the letter from Mill Creek School District and inquired if Mill Creek had contacted Putnam County and Morgan County to make them aware of the issues and the damage it is causing to their busses. John Ayers advised that he did recommend they contact the other counties.

Commissioner Gentry reported he received a phone call from a woman who stated Putnam County will no longer accept her calls regarding the matter and stated it is Putnam County's responsibility. Commissioner Gentry inquired about the possibility of an Interlocal Agreement with Putnam County and Morgan County for these segments of this road as a possible solution in the future. John Ayers advised against that because the annual distribution of funds for these sections wouldn't cover the costs to repair and upgrade the road and if we do it for one section we will be expected to do it for all sections. John Ayers stated he would send the letter from Mill Creek School District to Putnam County and Morgan County.

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**IN THE MATTER OF PROPOSED 2018 PAVING LIST**

John Ayers presented the proposed 2018 Paving List and advised chip and seal is wrapping up within the next two (2) weeks and then the contractor will move to hot mix. John Ayers reported notification was received from Milestone advising that the rates for asphalt have been increased, which will adjust the totals for the proposed list.

Commissioner Palmer inquired as to why there were not any subdivisions on the list. John Ayers advised that the funds from the Community Crossings Grant covers the paving of the subdivisions and stated INDOT plans to announce the recipients and their amounts in November of 2018 and paving will begin in 2019.

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**IN THE MATTER OF RONALD REAGAN PARKWAY EXTENSION FUNDING**

John Ayers reported that the County did not receive the INFRA Grant he applied for last fall and advised he is working on the application for to apply for the BUILD Grant. John Ayers advised he met with a representative from Senator Donnelly's Office on June 4, 2018 and stated Senator Donnelly is supportive of the planned Ronald Reagan Parkway extension and will be submitting a Letter of Support to submit with applications and funding requests, along with letters from other representatives.

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**IN THE MATTER OF COURTS' CASA PROGRAM CASE ASSESSMENT & TRIAGE  
COORDINATOR PROFESSIONAL SERVICES CONTRACT**

Catherine Haines presented the Courts' CASA Program Case Assessment & Triage Coordinator Professional Services Contract that was approved during the May 1, 2018 Council Meeting in the amount of \$22,000.00 and requested approval. Catherine Haines reported this is for a grant funded part-time position and advised the Coordinator has signed an acknowledgment letter that they understand the Contract will be terminated if the grant to fund it is no longer received.

Commissioner Gentry moved to approve the Contract as presented. Commissioner Palmer seconded the motion

and the motion was approved unanimously 2-0-0. (Commissioner Whetstone left the Meeting at 10:02 AM and was not present for the vote.)

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**IN THE MATTER OF WABASH VALLEY POWER SUBSTATION PURCHASE AGREEMENT**

Todd McCormack presented the final Wabash Valley Power Substation Purchase Agreement, as approved by Commissioner Whetstone and Greg Steuerwald, and requested formal approval.

Commissioner Gentry moved to approve the Agreement as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

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**IN THE MATTER OF COUNTY ATTORNEY**

No items presented.

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**IN THE MATTER OF COMMISSIONERS**

Commissioner Palmer reported she attended a meeting on June 11, 2018 for the Food, Shelter, and Utility Assistance Board that she's been a representative of for the past couple of years and never received any information from prior to the meeting. Commissioner Palmer advised it is a process through United Way that determines how the funds are spent and that she learned a lot about the Board and their process.

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**IN THE MATTER OF QUESTIONS FROM THE PRESS**

No press in attendance.

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**IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE**

**STAFF REPORTS RECEIVED**

1. Receipt was acknowledged for the I.T. Department Report of June 8, 2018 from Doug Morris.
2. Receipt was acknowledged for the Human Resources Report of May 20, 2018 through June 8, 2018 from Erin Hughes.
3. Receipt was acknowledged for the weekly Highway Department Report of May 14, 2018 through May 18, 2018, May 21, 2018 through May 25, 2018, and May 29, 2018 through June 1, 2018 from Curt Higginbotham.
4. Receipt was acknowledged for the Animal Control & Shelter Report for April/May 2018 from LaDonna Hughes.
5. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period April 1, 2018 through April 30, 2018 from Tim Dombrosky.

**CORRESPONDENCE RECEIVED**

1. Memo from Paul Miner, Hendricks County Parks and Recreation Board.
2. Letter from Mill Creek School Corporation regarding County Road 700 West.
3. Notice of Public Hearing by the Plainfield Plan Board of Zoning Appeals from Doninger Tuohy & Bailey, LLP. regarding variance requests for 10095 Bradford Road.
4. Notice of Public Hearing from the Town of Brownsburg regarding proposed amendments to Chapter 54 of the Brownsburg Town Code.
5. Notice of Public Hearing by the Town of Avon Board of Zoning Appeals from Drees Homes regarding a variance from the development standards, to be known as Case No. VAR18-10.
6. Notice of Public Hearing by the Town of Avon Board of Zoning Appeals from Faegre Baker Daniels, LLP. regarding a variance from the development standards, to be known as Case No. VAR 18-11.
7. Board of Directors Meeting Agenda and Minutes from Cummins Behavioral Health Systems, Inc.

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**IN THE MATTER OF ADJOURNMENT**

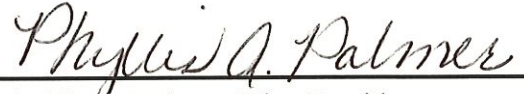
Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:17 AM on

Tuesday, June 12, 2018. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.



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Matthew D. Whetstone, President



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Phyllis A. Palmer, Vice President



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Bob Gentry, Member