

**HENDRICKS COUNTY COUNCIL
APRIL 3, 2018**

The regular meeting of the Hendricks County Council was called to order by President Eric Wathen on Tuesday April 3, 2018 with the following in attendance: Caleb Brown, Larry Hesson, Jay Puckett, Eric Wathen, Brad Whicker, David Wyeth, Financial Administrator Tami Mitchell, and Auditor Nancy Marsh. The Pledge of Allegiance was led by President Eric Wathen.

IN THE MATTER OF THE AGENDA

It was moved by Brad Whicker and seconded by David Wyeth to adopt the agenda as presented. Motion carried 6-0.

IN THE MATTER OF THE MARCH 6, 2018 MINUTES

It was moved by Jay Puckett and seconded by Brad Whicker that the minutes be approved as presented. Motion carried 5-0-1 (LH)

**IN THE MATTER OF AN EROSION PROBLEM
ON WHITE LICK CREEK WITHIN THE TOWN OF BROWNSBURG**

Commissioner Matt Whetstone discussed, as an FYI, that there is a property, in the Town of Brownsburg, that is about to have a catastrophic loss of the home due to erosion along White Lick Creek. Mr. Whetstone stated the Commissioners may want to participate with Brownsburg with a resolution to the problem and notified the Council they may be requesting funding.

IN THE MATTER OF THE HENDRICKS COUNTY PARK BOARD

Commissioner Matt Whetstone, representing the Commissioners, requested the Council look favorably to amend Ordinance 2000-007 creating the Hendricks County Park Board, to rewire the Ordinance and leave the board and employees in place and cede administrative executive authority to the Hendricks County Commissioners. Mr. Whetstone said the subject has been discussed for a year and a half. Mr. Whetstone recognized the good work of the Park Director, his staff, and the Park Board but stated there have been some administrative problems on the park side that the Commissioners would like to see changed. Mr. Whetstone pointed to the lease signed by the former Park Director for Sodalis Nature Parks and the drainage problem connected to the Vandalia Trail. Commissioner Whetstone stated the Park Board did not seek any guidance from the Commissioners, Drainage Board or Engineer before they signed contracts. Mr. Whetstone stated that the Town of Plainfield has purchased the property from the Airport Authority and wants out of the lease with the Park Board. Mr. Whetstone stated the Commissioners were unified on this subject. Mr. Whetstone stated the current allows no mechanism to recover money expended in the park. Mr. Whetstone, stated that personally he believed Parks and Fire need to think consolidation.

Mr. Whetstone stated there was some proposed language presented during the last legislative session and the executive branches around the state were looking around for a resolution to certain issues.

Mr. Whetstone stated that County Attorney Greg Steuerwald was working on language to amend the original ordinance. Mr. Whetstone stated as soon as he receives the language from Mr. Steuerwald, he will share the language with the Council for comments and concerns.

Councilman Larry Hesson stated he was involved at the outset and doesn't see that the system is broken. Mr. Hesson acknowledged that there had been a communication problem in the past but that had been resolved. Mr. Hesson stated there are several reasons the Park Board was created, and he has not observed any problem with the Park Board. Mr. Hesson stated the legislation presented in the last session dealt with counties creating a new Park Board. Mr. Hesson stated that he has spoken to David Bottorff of the Association of Indiana Counties and Mr. Bottorff has advised that other counties with a Park Board have had no issues.

Councilman Jay Puckett asked Mr. Whetstone if he is suggesting the parks be a department of the county. Mr. Whetstone stated he wants to rewire the administration segment of the ordinance which would include oversight and approval of contracts.

Councilman David Wyeth asked what other counties are doing about executive oversight. Mr. Whetstone stated there are approximately 33 counties that operate under the Park Board system. Mr. Whetstone stated he has discussed this subject with his peers across the state and the Foundation and they agree that the executive administration should be under the Commissioners.

Jeremy Weber, Park Director stated he appreciated Larry Hesson's comments and pointed out that some of the issues mentioned were agreed to before Jeremy was hired. Mr. Weber stated the Park Board has made an extraordinary effort to be open and forthright and be open to accepting suggestions.

Mr. Weber stated the Sodalís Park issue with Plainfield and the Airport Authority was troubling and the Park Board is actively working on ways to negotiate some recovery of funds now that Plainfield owns the land.

Mr. Weber stated that he is always willing to discuss any situation and stated that no one has ever contacted him about the subject.

Councilman Brad Whicker stated that it was presented to him that it would be discussed at this meeting with no intention of action being taken.

Park Board Member Paul Miner stated they became aware that legislation had been added to a vehicle bill late in the session and the association unanimously opposed the legislation.

Park Board Member Bill Harrington stated that the devil is in the detail and it would be helpful to see the language and then have meaningful discussion. Mr. Harrington pointed out that it is common practice if you are a tenant that your improvements belong to the land owner. Mr. Harrington stated he had prepared a packet containing Council Ordinance 2000-007; Indiana Code 36-10-3-3 Creation of Department of Parks and Recreation – Establishment of Board; a letter from David Bottorff, Executive Director of the Association of Indiana Counties recommending park departments/boards be established by County Commissioners rather than the Fiscal body; and testimony representing the members of the Indiana Park and Recreation Association in Opposition to an amendment to Senate Bill 392.

It was a consensus of the Council, recognizing that it is not an emergency, that the ordinance be heard at the May 1 Council meeting.

IN THE MATTER OF THE PUBLIC DEFENDER

Jeremy Gooch, Chief Probation Officer was present to request four additional public defender contracts and presented a thorough explanation of the need and the requirements necessary to qualify for the 40% reimbursement process. Mr. Gooch stated that the contract pay was established by the Public Defender Commission and the amount we pay is at the minimum of the scale. Mr. Gooch stated Hendricks County pays \$30,000 for misdemeanor public defenders and \$45,000 for felony public defenders. Councilman Caleb Brown stated it seems to be a broken process and noted that Hendricks County numbers were much higher than other surrounding counties. Councilman Larry Hesson stated that while we have a higher per capita, it makes us a target for criminals coming from another county.

Mr. Gooch stated that they want to provide the best quality representation while stopping the bleeding of funds. Councilman Larry Hesson stated there will be legislation proposing a 50% reimbursement and include misdemeanors for reimbursement.

IN THE MATTER OF THE CLEMENS/GEODIS INCENTIVE GRANT

Mr. Jeff Pipkin informed the Council that Clemens/Geodis needed more space which was not available in the Town of Plainfield. Having prior consent, Council President Eric Wathen and Commissioner President Matt Whetstone had agreed to offer them an incentive to relocate to the Gordman's building in Liberty Township I-70 West Commerce Park and the Commissioners had approved the request at the March 27, 2018 meeting agreed to request an additional appropriation in the amount of \$75,000 from EDIT. Auditor Nancy Marsh stated she had spoken to Greg Guerrettaz of Financial Solutions Group and he said the incentive could qualify as a loan to be reimbursed from the TIF revenue. Auditor Marsh stated the Hendricks County Redevelopment Commission had unanimously approved the loan from EDIT with repayment from the I-70 West Commerce Park TIF. It was the consensus of the Council to pursue the loan agreement for repayment from the TIF.

IN THE MATTER OF THE PROBATION DEPARTMENT

Susan Bentley, Probation Director presented a request to hire the Home Detention Coordinator at the same rate of pay as the employee that is being replaced. Ms. Bentley stated that this person has 10 years of experience at a private home detention service (Trout Group) and his pay should be commensurate with his experience. Councilman Jay Puckett asked if being a probation officer is required to be a home detention officer. Ms. Bentley stated that the position traditionally held by a probation officer, but this candidate was not a probation officer and it is not required statewide. Ms. Bentley stated that it is impossible to hire a person with case management, collections, and supervision experience at the beginning salary from the probation scale of \$33,907, versus the current salary of \$64,683. Discussion was held on whether it was appropriate to approve the higher rate of pay when ten years of experience is replacing 20 years of experience. Larry Hesson asked if the job description of the Home Detention Coordinator include the requirement of being a probation officer. Ms. Bentley stated yes, the job description did have that requirement. Larry Hesson stated there would be cases where the Council would need to look at the local market to dictate the salary. Councilman Puckett asked what was required to earn a probation officer designation. Ms. Bentley stated there is an orientation process and an exam.

Ms. Bentley was asked if an offer had been made at the higher rate. Ms. Bentley stated the candidate was made aware that the salary was contingent on the County Council's approval.

It was moved by Jay Puckett and seconded by Brad Whicker to approve the starting salary from the probation scale for 10 year's experience at \$51,392 plus \$2,500 for management pay for a total of \$53,892. Motion carried 5-1 (DW).

Ms. Bentley asked if the Council would look favorably to remove the requirement of being a probation officer from the job description of the Home Detention Coordinator. Mr. Puckett stated he was agreeable to that change if it is required to open the position to more talent but not changed for that candidate.

IN THE MATTER OF HUMAN RESOURCES

Erin Hughes, Human Resources presented a request for approval for one part-time job descriptions for Voter Registration Clerk (Park-Time) FLSA: Non-Exempt; Pay Band OSS 5 and the Coroner's updated job description for the Part Time Administrative Deputy Coroner FLSA: Non-Exempt; Pay Band OSS3. It was moved by Jay Puckett and seconded by Brad Whicker to approve the request as presented. Motion carried 5-0 (CB Out).

IN THE MATTER OF THE TIF ANNUAL REPORTS TO FISCAL BODY

The Council acknowledged receipt and approved the following 2018 TIF Annual Reports.

- 70/39 Commerce Park
- Westpoint Business Park
- Pittsboro Economic Development

- Heartland Crossing
- 70 West Commerce Park
- Ronald Reagan North

IN THE MATTER OF THE EMERGENCY ADDITIONAL APPROPRIATIONS

It was moved by Brad Whicker and seconded by Larry Hesson to approve Chief Public Defender #2 in the amount of \$180,000.00; EDIT number 3 in the amount of \$75,000.00; Health numbers 4 in the amount of \$45,883.00; number 5 in the amount of \$1,225.00; number 6 in the amount of \$9,974.00; number 7 in the amount of \$13,032.00; number 8 in the amount of \$16,553; number 9 in the amount of \$237.00; number 10 in the amount of \$1,334.00; Drug Task Force number 11 in the amount of \$25,000.00; and Community Corrections Project Income number 12 in the amount of \$6,022.00. Motion carried 6-0. Emergency Additional Appropriation request number 1 from the Auditor was discussed. Auditor Nancy Marsh explained the intricacies of the job. It was moved by Larry Hesson and seconded by Brad Whicker to approve Auditor's number 1. Discussion followed about the process of how to reward a high producing employee through the Oliver Minimum/Midpoint/Maximum system. Auditor Marsh stated there is no mechanism to get above Midpoint. Motion failed 1 (LH) to 5. Councilman Jay Puckett stated that the Council has an established system for appeals to follow and it would be his preference to follow the process.

It was moved by Jay Puckett and seconded by Larry Hesson to send the appeal of the job description to Kent Irwin for grading. Motion carried 6-0.

It was moved by Brad Whicker and seconded by Caleb Brown to deny Auditor's additional request number 1. Motion carried 6-0.

REALLOCATION OF FUNDS

It was moved by Larry Hesson and seconded by Caleb Brown to approve EDIT/Election number 1 in the amount of \$16,000.00; Immunization Grant number 2 in the amount of \$3,813.00; number 3 in the amount of \$215.00; Probation Community Corrections number 4 in the amount of \$11,000.00 and number 5 in the amount of \$6,000.00. Motion carried 6-0.

OTHER COUNCIL BUSINESS

Receipt of the Status of Funds was acknowledged. Auditor Nancy Marsh noted the Food and Beverage revenue of \$277,329 was received in April.

Discussion was held on the request tabled from the March agenda from PTABOA member Robert Cheek to establish their own PTABOA budget. Assessor Larry Scott stated that he had suggested to Mr. Cheek that he should ask the Council for a budget in General Fund. Auditor Nancy Marsh referred the council to IC 6-1.1-28-3 County Property Tax Assessment Board of Appeals; Compensation of Members and stated that is the exact process the county

follows. It was the consensus of the Council that no change be made, and the process will be governed by IC 6-1.1-28-3.

Receipt of the 2017 Annual Hendricks County Health Report was acknowledged.

Receipt was acknowledged of the report from the Park Board regarding the design problems at the Vandalia Trail and recouping the increased costs from the Errors and Omissions policy from the civil engineer.

Councilman Larry Hesson, President of the Association of Indiana Counties, invited the Council to attend the West District AIC meeting which is being held tonight at Greencastle.

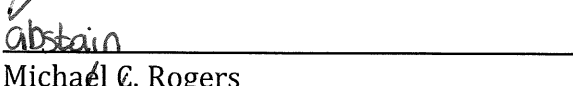
There being no further business to come before the Council, upon motion made by David Wyeth and seconded by Larry Hesson, the meeting was adjourned at 11:18 a.m. Motion carried 6-0.

HENDRICKS COUNTY COUNCIL


Caleb M. Brown

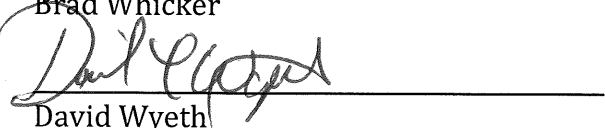

Larry R. Hesson


Jay R. Puckett


Michael C. Rogers


Eric Wathen


Brad Whicker


David Wyeth

ATTEST:


Nancy L. Marsh, Auditor

EMERGENCY APPROPRIATION RESOLUTION


Whereas, certain extraordinary emergencies have developed since the adoption of the existing budget, so that it is necessary to appropriate more money than was appropriated in the annual budget; therefore, to meet such extraordinary emergencies;

Be it resolved by the County Council of Hendricks County, Indiana, that for the expense of said County the following additional sums of money are hereby appropriated and ordered set apart out of the several funds as herein and for the purpose herein specified, subject to the laws governing the same.


	DEPARTMENT	ACCOUNT	DESCRIPTION	AMOUNT	APPROVED
1.	Auditor	1001.10203.000.0102	Personal Services	\$4,058.60	Denied
2.	Chief Public Defender	1001.30400.000.0166	Indigent Defense Services	\$180,000.00	\$180,000.00
3.	EDIT	1112.39410.000.0135	Incentive Grant	\$75,000.00	\$75,000.00
4.	Health	1159.18630.000.0214	Personal Services	\$45,883.00	\$45,883.00
5.	Health	1159.18603.000.0214	Personal Services (Director)	\$1,225.00	\$1,225.00
6.	Health	1159.13590.000.0214	FICA & Medicare	\$9,974.00	\$9,974.00
7.	Health	1159.13591.000.0214	PERF	\$13,032.00	\$13,032.00
8.	Health	1159.13592.000.0214	Group Insurance	\$16,553.00	\$16,553.00
9.	Health	1159.13593.000.0214	Unemployment	\$237.00	\$237.00
10.	Health	1159.13594.000.0214	Worker's Compensation	\$1,334.00	\$1,334.00
11.	Drug Task Force	4010.30201.000.0108	Professional Fees	\$25,000.00	\$25,000.00
12.	Community Corrections	4909.20200.000.0154	Operating Supplies	\$6,022.00	\$6,022.00

Adopted this 3rd day of April, 2018.

AYE


Caleb M. Brown

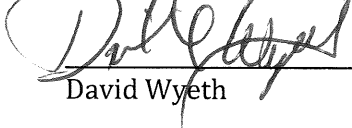

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Jay R. Puckett


Michael C. Rogers


Eric Wathen


Brad Whicker


David Wyeth

NAY

Caleb M. Brown

Larry R. Hesson

Jay R. Puckett

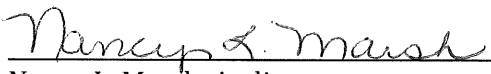
Michael C. Rogers

Eric Wathen

Brad Whicker

David Wyeth

ATTEST:


Nancy L. Marsh, Auditor

REALLOCATION OF FUNDS RESOLUTION

Be it resolved by the County Council of Hendricks County, Indiana, that for the expenses of the unit of Government of Hendricks County, the following sums of money previously appropriated for expenditures from a detailed account within a major classification, are hereby reallocated to another detailed account within a different classification as originally appropriated, all as herein specified.

	DEPARTMENT	FROM	TO	AMOUNT	Y/N
1.	Election/EDIT	1112.14607.000.0146	1112.31900.000.0146	\$16,000.00	Y
2.	Immunization Grant	8130.18631.000.0214	8130.31900.000.0214	\$3,813.00	Y
3.	Immunization Grant	8130.13590.000.0214	8130.31900.000.0214	\$215.00	Y
4.	Probation Community Corrections	9123.15123.000.0151	9123.15113.000.0151	\$11,000.00	Y
5.	Probation Community Corrections	9123.15123.000.0151	9123.15117.000.0151	\$6,000.00	Y


Adopted this 3rd day of April, 2018.

AYE


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ATTEST:


Nancy L. Marsh, Auditor