



HENDRICKS COUNTY BOARD OF COMMISSIONERS **MINUTES OF THE MAY 9, 2018 MEETING**

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Wednesday, May 9, 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 Marsh	Auditor
Erin Hughes	Human Resources Administrator
Brett Clark	Sheriff
Kevin Cavanaugh	Facilities Manager
Bart Harvey	Highway and Bridge Project Manager
Kim Galloway	Assistant Engineer
Curt Higginbotham	Highway Department Superintendent
Julie Haan	Environmental Health Director
Larry Scott	Assessor
Nicole Lawson	Chief Deputy Assessor
Jim Mardis	Regional Sewer/NPES Director
Tim Dombrosky	Planning Director
Doug Morris	I.T. Director
LaDonna Hughes	Animal Shelter Director/Chief Animal Control Officer
Jeremy Weber	Parks and Recreation Superintendent
Sean Horan	Emergency Management Director
D.J. Hoskins	Clerk

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 and led the Pledge to the Flag in unison. Commissioner Palmer gave a brief prayer for those who wished to participate.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the Minutes of the April 24, 2018 Commissioners' Meeting as amended. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Payroll Check Number 110391, Direct Deposit Check Numbers 164240 through 164753, and all Budgetary Claims presented from the Auditor's Office for the period beginning April 25, 2018 and ending May 10, 2018, dated May 10, 2018. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PUBLIC HEARING TO AMEND ORDINANCE NO. 2017-32: HENDRICKS COUNTY BOARD OF HEALTH ORDINANCE FOR COLLECTION OF FEES

Commissioner Whetstone opened the Public Hearing to amend Hendricks County Ordinance No. 2017-32: Hendricks County Board of Health Ordinance for Collection of Fees at 9:05 AM 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. Julie Haan presented the proposed Ordinance and recommended approval. There were no concerns or objections presented and Commissioner Whetstone closed the Public Hearing at 9:06 AM.

Commissioner Gentry moved to approve the Ordinance as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Ordinance No. 2018-10 to the Hendricks County Board of Health Ordinance for Collection of Fees.

IN THE MATTER OF THE SCHNEIDER CORPORATION AGREEMENT

Larry Scott presented The Schneider Corporation Agreement for Web Feature Service (WFS) Hosting – Pictometry in the amount of \$1,200.00 annually and requested approval. Larry Scott advised funds are available in the Assessor’s current budget to pay for the Agreement.

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 ADDENDUM TO THE HENDRICKS COUNTY INTERNAL CONTROLS FRAUD AND MATERIALITY POLICIES AND PROCEDURES POLICY

Nancy Marsh presented a proposed Addendum for Federal Pass-Through Programs to the County’s Internal Controls Fraud and Materiality Policies and Procedures Policy and requested approval. Nancy Marsh reported this matter was discovered during a recent audit and the Addendum is needed to comply.

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

IN THE MATTER OF ENGAGEMENT LETTER WITH FINANCIAL SOLUTIONS GROUP, INC.

Nancy Marsh presented an Engagement Letter with Financial Solutions Group, Inc. for required Continuing Disclosure Filings in the amount of \$1,000.00-\$2,000.00 annually 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 AT&T MANAGED INTERNET SERVICE PRICING SCHEDULE AGREEMENT

Doug Morris presented an AT&T Managed Internet Service Pricing Schedule Agreement in the amount of \$675.84 per month, which is an approximate savings of \$800.00 per month, 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.

IN THE MATTER OF INTERLOCAL COOPERATION AGREEMENT WITH THE TOWN OF PITTSBORO

John Hart, Town of Pittsboro Councilman, and Steve Maple, Town of Pittsboro Building Commissioner, presented the proposed Interlocal Cooperation Agreement for the Collection, Division and Distribution of Recreation Impact Fees and requested permission to proceed with taking the matter to the Plan Commission for consideration. The Agreement would allow the Town of Pittsboro to establish an Impact Fee Ordinance to implement an impact fee in the amount of \$1,140.00 on each new residential construction permit within a geographic area comprising all of Middle Township, including all areas inside and outside the corporate boundaries of the Town of Pittsboro, for the purpose of planning and financing park and recreational infrastructure.

Commissioner Gentry inquired when the Town of Pittsboro would be considering the assessment of personal property and real estate taxes for the Township and if there would be a Hearing held for the matter. Jim

Buddenbaum, Attorney for the Town of Pittsboro, advised that the Town is not currently seeking the tax assessment and stated he did not know if a Hearing would be held for that matter or not. Jim Buddenbaum stated this Agreement is a separate matter that establishes an Impact Fee for the Township and has nothing to do with the taxes.

Commissioner Whetstone inquired if the Impact Fee Review Board that would be established by the Agreement could raise the Impact Fee without having to obtain approval from another Board/Commission. Jim Buddenbaum advised the Board could increase the Impact Fee and stated there could be a commitment added to the Agreement not to allow it and advised that the Ordinance and the Agreement have to be renewed every five (5) years.

Commissioner Whetstone advised he is hesitant about the matter due to the Agreement creating a non-elected Board with the ability to perform the functions of taxing, etc. without any supervision and because the Agreement allows the Town to go outside their corporate limits for the Impact Fee. Commissioner Whetstone stated he would rely on the recommendation of Commissioner Gentry since he represents Middle Township and is familiar with the area and the residents.

Commissioner Gentry advised he is hesitant for the same reasons as Commissioner Whetstone.

Commissioner Palmer advised she is hesitant due to the Agreement creating an Impact Fee solely for Parks, as this has not been done in the past, but stated she is willing to listen to the matter and consider a recommendation from the Plan Commission.

It was the consensus of the Commissioners to consider the matter if a favorable recommendation is received from the Plan Commission.

IN THE MATTER OF ELECTED OFFICIALS

The Commissioners commended D.J. Hoskins for the ease of the Vote Centers for the Primary Election. Commissioner Palmer requested D.J. Hoskins provide a statement outlining how much money the Vote Centers saved the County during this election.

IN THE MATTER OF CIRCUIT COURT REPAINTING PROPOSAL

Kevin Cavanaugh presented the Proposal from Rose Painting in the amount of \$7,800.00 for the repainting of the Circuit Court areas and requested approval. Kevin Cavanaugh advised 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.

IN THE MATTER OF FACILITIES DEPARTMENT UTILITY VEHICLE

Kevin Cavanaugh presented the Quotation from Edwards Equipment in the amount of \$6,222.00 for the purchase of a new utility vehicle for the Facilities Department and requested approval. The Quotation included credits for trading in an older utility vehicle and an older lawnmower. Kevin Cavanaugh advised funds are available for the purchase.

Commissioner Palmer moved to approve the Quotation as presented. Commissioner Gentry 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 presented the Safety Action Plan (SAP) for the Government Center that was developed by the Safety Committee and requested approval. The SAP is a written plan providing specific reporting guidelines and requirements for the safe evacuation of building occupants in an emergency. Kevin Cavanaugh advised this Plan would be used as the template for other County facilities.

Commissioner Whetstone expressed concerns regarding the Elected Officials who feel they are exempt from the County's policies and requested Kevin Cavanaugh to allow the Elected Officials time to review the Plan before formally adopting it.

D.J. Hoskins, Sheriff Brett Clark, and Nancy Marsh stated they did not feel it was necessary for the Plan to be reviewed by the Elected Officials and advised they were okay with the Commissioners adopting it. Larry Scott stated he would like to review the Plan and share it with the other Elected Officials prior to it being adopted.

It was the consensus of the Commissioners for Kevin Cavanaugh to send the Plan to the Elected Officials for review and for the matter to be tabled until the May 22, 2018 Commissioners' Meeting.

IN THE MATTER OF ADDITIONAL VEHICLES REQUEST FOR HIGHWAY DEPARTMENT

Curt Higginbotham presented the proposals for three (3) additional vehicles (one grapple truck and two tandem axle dump trucks) for the Highway Department in the amount of \$463,271.30 and requested approval. Curt Higginbotham advised that the Council approved the additional funds for these vehicles during their May 1, 2018 Meeting.

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

IN THE MATTER OF BRIDGE NO. 172

Bart Harvey presented the Agreement for Engineering Services from Lochmueller Group, Inc. for Bridge No. 172 (County Road 250 West of the east fork of Mill Creek) in the amount of 174,570.00 and recommended approval.

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 CULVERT NO. FR-050

Bart Harvey presented the Agreement for Engineering Services from Lochmueller Group, Inc. for Culvert No. FR-050 (County Road 550 West over branch of Mill Creek) in the amount of \$132,405.00 and recommended approval.

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 BRIDGE NO. 192

Bart Harvey presented the Vectren Reimbursement Agreement for the relocation of a gas line on Bridge No. 192 (County Line Road South over McCracken Creek) in the amount of \$145,077.58 and recommended approval.

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 RONALD REAGAN PARKWAY

Chip Charles, representative from CrossRoad Engineers, presented framed aerial photography of the completed Ronald Reagan Parkway widening from U.S. 36 to County Road 300 North to the County. It was the consensus of the Commissioners for the picture to be displayed in the Engineering Department.

The Commissioners presented Bart Harvey with an invoice from Jack Maloney for the removal of survey stakes placed on his property and requested the invoice along with the Drainage Plans and damages caused during prior soil borings and other work be submitted to American Structurepoint for reimbursement consideration.

Bart Harvey advised he would give the items to John Ayers and discuss them with him further.

IN THE MATTER OF ENDEAVOR COMMUNICATIONS

Kevin Cavanaugh reported Endeavor Communications' plan to install their Wi-Fi antenna on the Courthouse Annex did not work due to the height and construction material of the parapet wall. Endeavor is now requesting permission to install small antennas adjacent to the security camera housings on the balconies at each side of the Courthouse, utilize the underground conduit between the Courthouse and the Courthouse Annex, and conduit inside the Courthouse to install their antennas and equipment. Kevin Cavanaugh and Doug Morris are not confident the modified plan will allow Endeavor to achieve the working Wi-Fi they desire.

It was the consensus of the Commissioners to allow Endeavor to continue with their modified installation with it being closely monitored by Kevin Cavanaugh and Doug Morris.

IN THE MATTER OF INDIANAPOLIS COLTS FAN FEST

Kevin Cavanaugh reported he was notified on May 2, 2018 that the Indianapolis Colts will be holding their Fan Fest event around the Courthouse Square on June 7, 2018 and plan to close Marion Street from Jefferson Street through to Indiana Street for the entire day and then plan to close Jefferson Street at 4:00 PM for the set-up and duration of their event, along with requesting to utilize the Courthouse grounds for some displays and vendors. Kevin Cavanaugh advised the Town of Danville plans to close Washington Street on the east side of the Courthouse on June 1, 2018 as the next step in their long-term project to repave all streets around the Square, which means all streets around the Square will be closed at some point during Fan Fest. Kevin Cavanaugh reported he shared the information with Court Administrator, Catherine Haines, and is waiting on a reply back from her.

It was the consensus of the Commissioners to allow the Indianapolis Colts to utilize the Courthouse grounds for Fan Fest and requested Kevin Cavanaugh express to them that the event cannot restrict the operations at the Courthouse.

IN THE MATTER OF MARION PROBATION BUILDING TREE REMOVAL

Kevin Cavanaugh reported two (2) large Black Locust trees adjacent to the entrance of the Marion Probation building need to be removed as they are starting to cause damage to the sidewalk and constantly shed leaves and limbs around the entrance, adjacent grounds, and the roof. Kevin Cavanaugh advised the trees would be replaced with landscaping.

It was the consensus of the Commissioners to proceed with obtaining quotes for the tree removal.

IN THE MATTER OF EAST CAMPUS COMMUNITY BUILDING

Kevin Cavanaugh reported the ceiling has been removed in the Parks and Recreation Department Offices and the area is undergoing a thorough cleaning and sanitizing effort before replacing the ceiling and moving the Offices back in.

Commissioner Whetstone advised he toured the building with Kevin Cavanaugh recently and encouraged the other Commissioners tour the building and requested Kevin Cavanaugh work with Greg Steuerwald to determine the available options to downsize the items being stored in the building.

D.J. Hoskins reported a Cyber Security sweep was conducted at 6:00 AM on May 8, 2018 of the voting equipment stored in the building. D.J. Hoskins advised the machines passed but stated the security of the current storage area is not up to the Federal Election guidelines and has to be modified. D.J. Hoskins advised she would send the report received after the sweep to the Commissioners and to Kevin Cavanaugh to review.

IN THE MATTER OF PROBATION DEPARTMENT POLICY MANUAL UPDATE AND PROPOSED REVISIONS TO THE HENDRICKS COUNTY EMPLOYEE MANUAL

Susan Bentley was not present during the Meeting.

Commissioner Whetstone advised the suggested revisions were discussed by the Council and the Benefits Committee during their May 1, 2018 Meetings. Commissioner Whetstone reported 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 another proposed revision is changing the County's FMLA Calculation Method from a "rolling" method measured backwards from the date of any FMLA leave usage to a "look forward" method measured from the date of the first FMLA leave usage. Any change in the method requires a sixty (60) day notice and during this transition period, employees qualified to take FMLA leave will do so under whichever method yields the greatest benefit to the employee. Commissioner Whetstone advised that if the revisions are approved by the Commissioners and the Council, the Employee Manual would be rewritten to include them, instead of adopting amendments.

Commissioner Palmer stated that since the Employee Manual would be rewritten, she would like to request the Right Stuff accountability for exempt employees be reviewed to not require them to clock in and out using Right Stuff and consider another option. Commissioner Palmer advised the Town of Avon allows their exempt employees to enter their time worked and any PTO taken on paper time sheets. Commissioner Whetstone and Todd McCormack advised the labor law attorney (former and current) stated the County needs to use the same method for all employees, exempt and non-exempt. Commissioner Palmer also suggested the possibility to be more flexible with employees using County vehicles to go home for lunch if they are working in the area of their home.

It was the consensus of the Commissioners to continue the matter to the May 22, 2018 Commissioners' Meeting.

IN THE MATTER OF COUNTY ATTORNEY

Greg Steuerwald reported the eminent domain matter should be filed this week once the updated title policy is received to verify the correct parcel owners are listed.

Greg Steuerwald reported Wabash Valley Power is calculating the costs for the roadway to adjust the purchase price to reflect the credit and the easement proposal the County requested to build a future roadway is being reviewed.

IN THE MATTER OF COMMISSIONERS

Commissioner Whetstone requested Todd McCormack work with the dates provided by Eric Wathen to schedule a meeting with the Hendricks County Parks and Recreation Board.

Commissioner Palmer reported she would be attending the Regional Development Authorities Meeting on May 17, 2018 and would also be attending the Peace Officers Memorial Day presentation at the Courthouse on May 15, 2018.

IN THE MATTER OF WISHES TO BE HEARD

No items presented.

IN THE MATTER OF QUESTIONS FROM THE PRESS

No press in attendance.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

CHECKS RECEIVED

- | | | |
|---------------|-------------------|---|
| 1. \$4,000.00 | Town of Pittsboro | Regional Sewer Partnership Agreement Dues |
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STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the Engineering Department Report of May 9, 2018 from John Ayers.
2. Receipt was acknowledged for the I.T. Department Report of May 9, 2018 from Doug Morris.

3. Receipt was acknowledged for the Human Resources Report of April 23, 2018 through May 4, 2018 from Erin Hughes.
4. Receipt was acknowledged for the weekly Highway Department Report of April 2, 2018 through April 6, 2018, April 9, 2018 through April 13, 2018, April 16, 2018 through April 20, 2018, and April 23, 2018 through April 27, 2018 from Curt Higginbotham

CORRESPONDENCE RECEIVED

1. Memo from Paul Miner, Hendricks County Parks and Recreation Board.
 2. Subrogation Services notification from State Farm Insurance, representing Javetta Hill.
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IN THE MATTER OF ADJOURNMENT

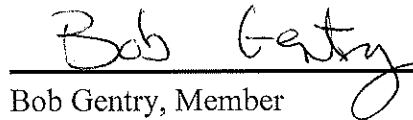
Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:30 AM on Wednesday, May 9, 2018. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.



Matthew D. Whetstone, President



Phyllis A. Palmer, Vice President



Bob Gentry, Member