



HENDRICKS COUNTY BOARD OF COMMISSIONERS & HENDRICKS COUNTY COUNCIL

MINUTES OF THE OCTOBER 9, 2018 JOINT MEETING

The Hendricks County Board of Commissioners and the Hendricks County Council met in a joint session at 9:00 AM on Tuesday, October 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
Eric Wathen	Councilman, President
Larry Hesson	Councilman
Brad Whicker	Councilman
David Wyeth	Councilman
R. Todd McCormack	Executive Director
Mila M. Shaffer	Administration and Public Affairs
Gregory E. Steuerwald	Attorney
Nancy Marsh	Auditor
John E. Ayers	Engineer
Erin Hughes	Human Resources Administrator
Brett Clark	Sheriff
Tami Mitchell	Financial Administrator
Kevin Cavanaugh	Facilities Manager
Tim Dombrosky	Planning Director
Dr. David Stopperich	Health Officer
Eric Ivie	Parks and Recreation Interim Superintendent
Doug Morris	I.T. Director
Larry Scott	Assessor
Nicole Lawson	Chief Deputy Assessor
Theresa Lynch	Recorder
Curt Higginbotham	Highway Department Superintendent
Scott Butrum	Zoning Inspector
Shawn Shelley	Treasurer
Catherine Haines	Court Administrator
James McBryant	Cypress Manor Administrator
Rick Morphew	Coroner
LaDonna Hughes	Animal Shelter Director/Chief Animal Control Officer

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. Councilman Wathen established a quorum with four (4) Councilmen present.

IN THE MATTER OF MINUTES

Commissioner Palmer moved to approve the Minutes of the September 25, 2018 Commissioners' Meeting as amended. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve Direct Deposit Check Numbers 169870 through 170386 and all Budgetary Claims presented from the Auditor's Office for the period beginning September 27, 2018 and ending October 10, 2018, dated October 10, 2018. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HIGHWAY GARAGE ROOF REPLACEMENT

Kevin Cavanaugh presented the Blackmore & Buckner Roofing Contract for the Highway Garage roof replacement in the amount of \$33,700.00 and requested approval.

Commissioner Gentry moved to approve the Contract as amended by Greg Steuerwald. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF WA-PE-KE-WAY CHAPTER NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION DAY PROCLAMATION

Linda Teany, representative from the Wa-Pe-Ke-Way Chapter, presented a Proclamation to proclaim October 16, 2018 as Wa-Pe-Ke-Way Chapter National Society Daughters of the American Revolution Day in Hendricks County and requested approval.

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

IN THE MATTER OF EAGLE RIDGE CIVIL ENGINEERING SERVICES, LLC. AGREEMENT

John Ayers presented the Eagle Ridge Civil Engineering Services, LLC. Agreement for On-Call Engineering Services 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 ANNUAL MATERIAL BIDS FOR THE HIGHWAY DEPARTMENT

John Ayers requested the Annual Material Bids for the Highway Department be set on the following dates:

DATE	ITEM
October 23, 2018	Notice to Bidders
November 27, 2018	Bids Due
December 11, 2018	Award Bids

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

IN THE MATTER OF CLERMONT HEIGHTS

John Ayers presented the two quotes received for drainage work in Clermont Heights, Murrain Excavating for \$129,843.00 and Mink Excavating for \$80,470.00, and recommended awarding the work to Mink Excavating.

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

IN THE MATTER OF COUNTY ATTORNEY

No matters presented.

IN THE MATTER OF SYCAMORE REHABILITATION SERVICES

The Commissioners received and acknowledged the Consolidated Financial Statements with Accompanying Information from Sycamore Rehabilitation Services/Hendricks County ARC, Inc. and Subsidiary for years ended June 30, 2017 and 2016 and the Independent Auditor's Report.

IN THE MATTER OF PROPOSED INFRASTRUCTURE DEVELOPMENT ZONE ORDINANCE

Commissioner Whetstone reported the Public Hearing for the proposed Infrastructure Development Zone Ordinance was canceled and the matter would be presented for information only at this time.

Greg Ternet, representative from Hendricks Power, and Darin LaCoursiere, representative from Endeavor Communications reported access to broadband is an issue for many areas of Hendricks County and would like to designate an Infrastructure Development Zone to assist with the costs to extend broadband throughout those areas in Hendricks County. Greg Ternet advised that the proposed Ordinance for the Designation of an Infrastructure Development Zone establishes an Infrastructure Development Zone where broadband service would be provided to residents residing within the Zone and includes a business personal property tax exemption to companies for certain infrastructure associated with the development of broadband technology for five (5) years. The proposed five (5) year tax exemption for certain infrastructure shall only include the installation of fiber to homes, businesses, schools, and publicly owned buildings and shall not be available for maintenance and refurbishment to existing facilities, land that the infrastructure is located on, fiber to cell towers or satellites, or long haul/pass thru fiber infrastructure. Residents and businesses will have the option to connect to the broadband or not connect to it and will pay a monthly service fee based upon the type of broadband package they would choose; there is no cost to the County and there is no cost to residents and businesses who choose not to connect to the broadband. Greg Ternet and Darin LaCoursiere stated the estimated costs to extend broadband to approximately 10,000 residents/businesses in Hendricks County who do not currently have access to broadband is approximately \$30,000,000.00.

There was discussion amongst the Commissioners and Council and many agreed there was a need for broadband to be provided throughout the County to assist with education, business operation, and other needs as it is not readily available in many areas. Councilman Wathen stated that many schools require students to utilize online textbooks, assignments, etc. and some rural families are having to travel lengthy distances for their children to complete their homework. Councilman Wyeth agreed and added that many schools have started holding "virtual school" when schools are closed for weather or other unscheduled issues and having readily available broadband throughout the County would allow more schools to exercise this option instead of having buses and students out in extreme weather. Councilman Wyeth advised that many businesses, including State and Federal agencies, no longer have paper forms and require all forms be completed and submitted electronically, which causes an issue for people who do not have access to the internet.

It was the consensus of the Commissioners and the Council to proceed with developing the proposed Ordinance with terms tailored to fit the needs of Hendricks County and present the Ordinance to the appropriate Board/Commission for review and consideration.

IN THE MATTER OF ADDITIONAL PUBLIC SAFETY LOCAL INCOME TAX (LIT)

Commissioner Whetstone reported the Commissioners met with Fire Chiefs and/or Town officials in their areas regarding an additional Public Safety LIT and advised that some area Chiefs and other officials were in attendance to present further information on the matter.

Brownsburg Fire Chief Larry Alcorn and Plainfield Fire Chief Joel Thacker reported there is a growing need to expand public safety services in various areas of the County and the current funding sources do not provide enough funds to cover the costs and requested the County consider an additional 0.5% Public Safety LIT to fund public safety staffing needs. The current Public Safety LIT is 1.5%.

Commissioner Whetstone advised the additional Public Safety LIT would assess a percentage income tax with the proceeds going to fund public safety needs, similar to what is in place to fund the 911 Communications Center and stated if the option is considered that he strongly encourages participation to the smaller areas, possibly by implementing a mutual coordination of efforts and resources amongst the departments.

Councilman Wathen advised this matter would need to come to the Council for consideration because the Council is the body that approves assessing a tax and the Council has not been presented with the matter.

There was discussion amongst the Commissioners and Council regarding the matter. Commissioner Palmer advised she told the Town of Plainfield that she would be hesitant to vote for a tax increase due to increased property taxes for school referendums and the pressing issue of constructing a new jail. Commissioner Gentry inquired about implementing an impact fee for this need since new construction is increasing the population and generating the need. The impact fee was considered to be inconsistent revenue since it is only a one-time fee and wouldn't allow for continued funding for public safety. Councilman Whicker reported he is open to discussion on the matter but advised there is a lot more information that would have to be presented for it to be considered as he is not in favor of a tax increase. Councilman Eric Wathen stated that the Towns need to prioritize their funding distribution to address the areas that are most crucial, as the County does with their distributions. Councilman Wyeth stated it's important to grow public services and infrastructure with the growth of the County.

Tim Dombrosky advised he agrees the impact to public safety is caused by growth of the County and stated all public services and infrastructure, including broadband, need to follow the areas of growth due to the demand.

It was the consensus for the Chiefs to determine and follow the proper process for presenting and requesting the additional Public Safety LIT to the appropriate body and then present more information on the matter and on how the distribution of the funds would be determined, along with providing letters of support for the LIT from the entities that would be receiving the funds.

IN THE MATTER OF PARKS BOARD MEMORANDUM OF UNDERSTANDING

Commissioner Whetstone presented the Memorandum of Understanding (MOU) between the Commissioners, Council, and the Parks Board that was approved by the Parks Board during their October 3, 2018 Meeting and requested approval of the Commissioners and Council. Commissioner Whetstone reported that after himself, Councilman Wathen, Councilman Wyeth, and Councilman Hesson met with Parks Board representatives to discuss repealing the Ordinance that created the Parks Board, the Parks Board approached him and Councilman Wathen with an MOU instead of repealing the Ordinance. Greg Steuerwald, Commissioner Whetstone, Councilman Wathen worked with the Parks Board representatives to develop a mutually agreeable MOU for the items addressed in paragraph two (2) which states:

"The parties will agree as to the County's overseeing the Parks Board in matters relating to taxation, eminent domain, land purchase, personnel and compliance with the policies and procedures contained in the Hendricks County Employee Handbook."

Commissioner Whetstone advised this MOU would create a new level of inter-cooperation and communication between the Commissioners, Council, and the Parks Board moving forward.

There was discussion amongst the Commissioners and Council regarding the matter. Commissioner Palmer inquired if the Parks Board had seen the MOU. Commissioner Whetstone, Councilman Wathen, and Paul Miner (Parks Board President) reported the Parks Board has seen and has approved the MOU. Councilman Whicker and Bob Gentry reported if the representatives who drafted the MOU are in support of it and the Parks Board approved it, then they both are in support of the MOU. Councilman Larry Hesson stated he had no significant input in the MOU and felt like he was left out of the loop after the initial Meeting he had attended and hadn't seen the MOU prior to now and feels the MOU abolishes the Parks Board. Commissioner Whetstone, Commissioner Wathen, and Greg Steuerwald stated the MOU does not abolish the Parks Board and makes no reference to abolishing the Parks Board or their authority; it is a mutually agreeable MOU for the Commissioners' and Council's oversight of the Parks Board in matters relating to taxation, eminent domain, land purchase, personnel and compliance with the policies and procedures contained in the Employee Manual. Commissioner Whetstone reported the Council could choose to discuss the item during their November 7, 2018 Council Meeting and advised he was contacted on October 8, 2018 by a Parks Board Member expressing they would like for the Parks & Recreation Department to be more like other County departments in relation to communication, office location, and County involvement. Commissioner Whetstone advised this MOU is a positive step in that direction. Commissioner Palmer stated she respects Councilman Hesson's concerns and should consider holding the Council vote until their next Meeting. Greg Steuerwald advised the MOU is an agreement to communicate and work together. Commissioner Palmer stated that communicating and working together should've been happening all along.

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

Councilman Whicker moved to vote on the MOU now. The motion died for lack of a second. It was the consensus of the Council to vote on the MOU during the November 7, 2018 Council Meeting.

IN THE MATTER OF CYPRESS MANOR

Commissioner Whetstone reported the Agreement with Hendricks Regional Health (HRH) regarding Cypress Manor expires on December 31, 2018 and the transfer of employees to HRH needs to be discussed. Commissioner Whetstone advised some employees are vested in PERF and some are not and requested input in regards to transferring the employees to HRH and if the County would be willing to offer an offset to employees who were close to being vested in PERF, or if it is legal for the County to offer an offset.

There was discussion amongst the Commissioners, Council, and James McBryant regarding the matter. Councilman Whicker advised that not transferring the employees to HRH would be going against the intent of the Agreement and of the transfer of Cypress Manor to HRH and doesn't believe a decision in regards to offering an offset to the employees can be made today without knowing the available options. Commissioner Palmer stated that change is difficult and wants to do whatever affects the employees of Cypress Manor the least and suggested continuing to allow HRH to lease the employees from the County. James McBryant reported there are currently ten (10) employees; nine (9) full-time and one (1) part-time. Commissioner Whetstone advised most benefits with HRH are similar to the County's, except the PERF retirement.

Commissioner Whetstone requested James McBryant contact HRH and have a representative attend the October 23, 2018 Commissioners' Meeting to present the benefits and retirement HRH offers to their employees and instructed Erin Hughes to make sure all Cypress Manor employees complete their Open Enrollment for 2019 while the information is being reviewed. Greg Steuerwald will be reviewing the lease with HRH.

IN THE MATTER OF ECONOMIC DEVELOPMENT PARTNERSHIP

Commissioner Whetstone reported he and Councilman Wathen serve as the representatives for the Economic Development Partnership and opened the conversation for input. Councilman Wathen reported he and Commissioner Whetstone are contacted by the Hendricks County Economic Development Partnership with a potential new business to the County and they review the details and bring a recommendation to the Commissioners and Council for matters they believe the County should consider. Commissioner Palmer and Councilman Hesson requested more communication on the matters beforehand, without breaching the confidentiality of the matters. Commissioner Whetstone and Councilman Wathen advised they will be more diligent in communicating the allowable details with the Commissioners and Council further in advance, before presenting the recommendation to them in a meeting.

Katelyn Hurst, representative from Hendricks County Economic Development Partnership, encouraged the Commissioners and Council to support the proposed Infrastructure Development Zone Ordinance to implement broadband services throughout Hendricks County as new businesses are searching for locations that offer it.

IN THE MATTER OF JAIL AND OTHER CAPITAL IMPROVEMENT PROJECTS

Commissioner Whetstone and Commissioner Palmer reported Kevin Cavanaugh did a great job outlining the capital improvement requests during the Commissioners' September 11, 2018 Capital Improvement Projects Workshop. Commissioner Whetstone advised that a representative from the Parks Board contacted him requesting better office space be provided for the Parks and Recreation Department and stated he does not believe a congressional office will be located in the Government Center after December 31, 2018, which will open up that space. Kevin Cavanaugh reported it is important to have a better view of the immediate needs and of the projected future needs.

There was discussion amongst the Commissioners and Council regarding the matter. Councilman Wathen requested Kevin Cavanaugh develop a list of needs and a list of wants, removing the duplicates, creating a master

list to be distributed to the Commissioners and Council. Councilman Wathen requested Kevin Cavanaugh also develop a list of the building inventory along with the current condition to distribute as well.

The Commissioners and Council acknowledged there is a strong need for a new Jail and inquired where the Sheriff is in the planning process. Sheriff Brett Clark reported the Feasibility Study was completed and presented and the next step would be to continue with completing the Regional Jail Study. Councilman Whicker reported the financial side of the Study was progressive and halted the discussions because of the amount of money and the burden it will put on the taxpayers and encouraged everyone to review the article recently released on IBJ's website regarding different funding mechanisms and the overcrowding issue. The temporary "POD" solution was dismissed as an option as more information has become available about the final costs. Councilman Whicker advised he is in support of a new Jail and recommended a solid plan and timeline for execution and completion be developed. Commissioner Whetstone inquired about a regional Jail facility. A regional Jail was determined to not be a good idea but instead the possibility of a regional facility for mental health and addiction services should be reviewed. Sheriff Brett Clark advised that a regional facility for mental health and addiction services isn't a Jail and isn't the Sheriff's legal responsibility to run like the Jail is, but advised a facility of that type would help, by removing those individuals from the Jail's population and placing them in a facility to assist their needs.

It was the consensus of the Commissioners and Council for the Sheriff to proceed with selecting the consultant(s) to complete the Regional Jail Study and a preliminary design. Sheriff Brett Clark advised he would obtain the input from the Sheriff's Association from a constitutional standpoint to build a model Jail to fit the current needs and laws, instead of building a prior Jail that was built to suit another entity's needs. Councilman Hesson stated that funding sources need to be reviewed, especially for bonds, due to the timing of accessing the funds.

(Councilman Whicker exited the Meeting at 10:55 AM)

IN THE MATTER OF EXIT 59 INTERCHANGE

Commissioner Whetstone reported Regional Sewer Board is reviewing the infrastructure needs for the Exit 59 Interchange and developers are being encouraged to have a mixture of residential and commercial in their development plan. Tim Dombrosky reported the Transportation Master Plan is being updated during 2019 and the Exit 59 Interchange area will be part of that Plan.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers reported extension of the Ronald Reagan Parkway continues up to County Road 1000 North and applications have been submitted for various types of funding grants to assist with funding. Hendricks county is moving ahead with the extension, independently of Boone County.

IN THE MATTER OF TAKE HOME FLEET VEHICLES

Commissioner Whetstone reported the Commissioners have expressed that take home fleet vehicles are not a condition of an employee's employment. Commissioner Palmer requested an inventory be taken of take home fleet vehicles as it's recently been discovered that there are more vehicles being taken home than was believed and/or authorized. Councilman Hesson advised the number of fleet vehicles and the number of take home fleet vehicles has been a problem that's existed for a long time.

Commissioner Whetstone instructed Todd McCormack to complete an inventory to identify all take home fleet vehicles and present the results to the Commissioners and Council.

IN THE MATTER OF REPLACING THE OLIVER SYSTEM

Commissioner Whetstone reported it was decided during the July 24, 2018 Benefits Committee Meeting to research other systems to replace the Oliver System for salary schedules and job classifications and requested Todd McCormack provide a brief update on the matter.

Todd McCormack reported he and Erin Hughes have met with two companies to review their products; First Person Benefit Advisors, who currently works with the Town of Plainfield, and Gallagher Group, who has worked

with Hamilton County. Todd McCormack advised the goal is to meet with companies who have products suitable to the County's needs and then present the options back to the Benefits Committee to review and consider. Todd McCormack reported the Oliver System is an outdated system from the 1970's that hasn't been upgraded and has resulted in having most employees stuck at the midpoint in their pay grade, without any way to move up from there. This has caused Department Heads/Elected Officials to "grade creep" by rewording an employee's job description to earn more points to move the position to a higher pay grade, resulting in the employee receiving a higher wage. Erin Hughes reported she has reached out to other counties in Indiana and the majority of the counties who use the Oliver System are experiencing the same issues Hendricks County is and are researching other options as well.

There was discussion amongst the Commissioners and Council regarding the matter. Councilman Wathen advised that once Todd McCormack and Erin Hughes have narrowed the search down to two (2) or three (3) companies to have the companies present their information to the Benefits Committee during their November 7, 2018 Meeting, without presenting their costs in their presentation. Commissioner Palmer expressed her concerns to be cautious during the transition as to not place a burden onto the employees. Councilman Hesson inquired if replacing the Oliver System will require re-evaluation of every job description. Todd McCormack advised it is not known if the re-evaluation will be required or not; if not required, it will not be done.

IN THE MATTER OF WISHES TO BE HEARD

No matters presented.

IN THE MATTER OF ELECTED OFFICIALS

Nancy Marsh requested a member of the Council attend the State Board of Accounts Entrance Meeting on October 11, 2018 at 9:00 AM as Councilman Wathen cannot attend. Councilman Hesson offered to attend the Meeting.

Rick Morphew reported the new power cots have arrived for the Coroner's Department and expressed his appreciation to the Council.

IN THE MATTER OF COMMISSIONERS AND COUNCIL

Commissioner Gentry reported he has been asked to advocate for Judge Love and Hamilton County Judge Nation to promote seeking a grant for a school coordinator who will intervene and work with at-risk students before they get to the criminal justice system, in hopes of helping these students stay out of the system. Todd McCormack reported the Town of Plainfield will be the pilot location and if the coordinator is successful, the program would be expanded to other areas. Commissioner Gentry advised that Judge Love is requesting the County assist in funding the coordinator's position.

Eric Wathen advised that he would be in support of Judge Love's request as the cost for this coordinator would be far less than the costs associated with a couple of students going through the criminal justice system.

Commissioner Palmer advised this appears to be another layer that is not needed as we already have school officers and similar people who are responsible for handling and reporting truancy and other issues.

Councilman Hesson advised there are also homeless students and this program would not assist those students.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

CHECKS RECEIVED

1. \$585.60 OB Services Claim No. 0AB238749-01-01 2014 Dodge Charger-Sheriff's Dept.

STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the Engineering Department Report of October 9, 2018 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of October 9, 2018 from Kevin Cavanaugh.

3. Receipt was acknowledged for the Executive Director Report of October 9, 2018 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of October 9, 2018 from Doug Morris.
5. Receipt was acknowledged for the Human Resources Report of September 24, 2018 through October 5, 2018 from Erin Hughes.
6. Receipt was acknowledged for the weekly Highway Department Report of September 8, 2018 through September 14, 2018, September 22, 2018 through September 28, 2018, and September 15, 2018 through September 21, 2018 from Curt Higginbotham.
7. Receipt was acknowledged for the Parks & Recreation Department Report of October 9, 2018 from Eric Ivie.
8. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections of period August 1, 2018 through August 31, 2018 and September 1, 2018 through September 30, 2018 from Tim Dombrosky.

CORRESPONDENCE RECEIVED

1. Memo from Paul Miner, Hendricks County Parks and Recreation Board President.
2. Notice of Tort Claim from Wooden McLaughlin LLP., representing Terry Burnworth.


IN THE MATTER OF ADJOURNMENT

Commissioner Whetstone moved to adjourn the Hendricks County Commissioners' and Hendricks County Council Joint Meeting at 11:27 AM on Tuesday, October 9, 2018. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. The Council no longer had a quorum at this time.


Hendricks County Commissioners



 Matthew D. Whetstone, President




 Phyllis A. Palmer, Vice President



 Bob Gentry, Member

Hendricks County Council



 Eric Wathen, President



 David Wyeth, Vice President



 Caleb M. Brown, Member




 Larry R. Hesson, Member



 Jay R. Puckett, Member

 Michael C. Rogers, Member



 Brad Whicker, Member