



HENDRICKS COUNTY BOARD OF COMMISSIONERS **MINUTES OF THE JANUARY 28, 2020 MEETING**

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, January 28, 2020 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:

Phyllis A. Palmer	Commissioner, President
Matthew D. Whetstone	Commissioner, Vice President
Bob Gentry	Commissioner
R. Todd McCormack	Executive Director
Mila M. Shaffer	Administration and Public Affairs
Greg Steuerwald	Attorney
Nancy Marsh	Auditor
Brett Clark	Sheriff
David Cox	Councilman
Larry Scott	Councilman
John Ayers	Engineer
Kim Galloway	Assistant Engineer
Erin Hughes	Human Resources Administrator
Kevin Cavanaugh	Facilities Manager
Curt Higginbotham	Highway Department Superintendent
Shawn Shelley	Treasurer
Doug Morris	I.T. Director
Nicole Lawson	Assessor
Tim Dombrosky	Planning Director
Krista Click	Environmental Health Director
Mark Chmielewski	Government Center Security
Tiffany Dalton	Chief Deputy Surveyor
Gary Sowers	Financial Admin./Drainage Board Coordinator
Ryan Lemley	Parks and Recreation Superintendent

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

Commissioner Palmer opened the Meeting at 9:31 AM with a quorum of two (2) Commissioners present and led the Pledge to the Flag in unison. Commissioner Gentry gave a brief prayer for those who wished to participate. Commissioner Whetstone joined the Meeting at 9:33 AM.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the Minutes of the January 14, 2020 Commissioners' Meeting as amended. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF CLAIMS

Commissioner Palmer's question regarding the Drainage Board payment was answered. Commissioner Gentry moved to approve Direct Deposit Check Numbers 188473 through 188976 and all Budgetary Claims presented from the Auditor's Office for the period beginning January 16, 2020 and ending January 29, 2020, dated January 29, 2020. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF 2020 COMMISSIONERS' APPOINTMENTS

The Commissioners reported they are still working to fill the remaining appointments and are waiting on recommendations from Nicole Lawson and from Visit Hendricks County. Nancy Marsh advised there is new legislation being considered that would remove the requirement to have a nonvoting adviser appointment to the Redevelopment Commission in the future.

It was the consensus of the Commissioners to keep the matter on the Agenda until all appointments have been made.

IN THE MATTER OF PUBLIC HEARING FOR ORDINANCE FOR STOP SIGNS ON CERTAIN COUNTY ROADS

Commissioner Palmer opened the Public Hearing regarding the Ordinance for Stop Signs on Certain County Road at 9:35 AM. John Ayers presented the proposed Ordinance for Stop Signs on Certain County Roads to establish a stop sign at the eastbound approach on Eagle Drive approaching Eagle Village Drive and recommended approval as there currently are no stop signs controlling the T-intersection.

There were no remonstrators present and Commissioner Palmer closed the Public Hearing at 9:36 AM.

Commissioner Whetstone moved to approve the Ordinance for Stop Signs on Certain County Roads as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Ordinance No. 2020-03; Ordinance for Stop Signs on Certain County Roads.

IN THE MATTER OF REQUEST FOR PUBLIC HEARING TO RE-ESTABLISH CERTAIN FUNDS

Nancy Marsh requested permission to proceed with advertising for a Public Hearing to be held during the February 25, 2020 Commissioners' Meeting to re-establish the Cumulative Bridge Fund, the Cumulative Capital Development Fund, and the Major Bridge Fund.

Commissioner Whetstone moved to approve scheduling the Public Hearing as requested. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REQUEST TO PURCHASE SPECIALTY VEHICLE FOR SURVEYOR'S OFFICE

Tiffany Dalton requested permission to purchase a specialty vehicle for the Surveyor's Office, utilizing funds from one of their specialty Drainage Board accounts, in the amount of \$115,465.65. Tiffany Dalton advised the Drainage Board recommended to move forward with purchasing the vehicle during their January 14, 2020 Meeting. All vehicle purchases must be approved by the Board of Commissioners, regardless of what account the funds to purchase the vehicle are coming from.

Commissioner Whetstone moved to approve the purchase as presented. Commissioner Gentry seconded the motion and the motion was approved by majority 2-1-0. Commissioner Palmer opposed the purchase as she does not feel the vehicle is needed and stated the request to purchase an additional vehicle was not presented clearly to the Drainage Board. Commissioner Palmer advised she continues to try and reduce the County Fleet. Commissioner Whetstone instructed Tiffany Dalton to proceed with presenting the funding request to the Council.

IN THE MATTER OF REQUEST FOR PUBLIC HEARING TO AMEND THE DRAINAGE BOARD UNIFORM FEE SCHEDULE

Tiffany Dalton presented a revised version of Ordinance No. 2019-35, an Ordinance Amending the Hendricks County Drainage Board Uniform Fee Schedule, and requested permission to proceed with advertising for a Public Hearing to be held during a Commissioners' Meeting. Tiffany Dalton reported the proposed Ordinance was approved during the January 28, 2020 Drainage Board Meeting. Revisions include listing the specific funds each fee/fine/penalty is to be deposited into and establishes new fees for use of the televising equipment, van, and personnel as it relates to the new specialty vehicle being purchased.

Commissioner Gentry moved to approve scheduling a Public Hearing for the matter during the February 25, 2020 Commissioners' Meeting as requested. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REQUEST TO INCREASE HUMAN RESOURCES CREDIT CARD LIMIT

Erin Hughes requested to increase the Human Resources credit card limit from \$2,000.00 to \$5,000.00 to cover the monthly costs of BambooHR and eliminate the monthly wire transfer fee of \$45.00. Erin Hughes stated utilizing the credit card for the BambooHR payment is the Treasurer's preferred method of payment.

Commissioner Gentry moved to approve the increase as requested. Commissioner Palmer seconded the motion and the motion was approved by majority 2-0-1; Commissioner Whetstone excused himself from the vote.

IN THE MATTER OF ZA 469/19: ARBOR HOMES

Tim Dombrosky reported Arbor Homes has requested to withdraw their request for an Ordinance to amend the zoning map of Hendricks County, from AGR/Agriculture Residential District to RD/Single-Family Residential District, commonly known as ZA 469/19: Arbor Homes, S17-T15N-R1W, Washington Township, 6 parcels totaling 121.82 acres, located at the corner of County Road 100 S. and 400 E. and requested guidance on how to proceed. Tim Dombrosky advised the Plan Commission recommended denial of this zoning amendment unanimously during their January 14, 2020 Meeting, 5-0-0. Tim Dombrosky stated under the Plan Commission's guidelines, when an application is denied, the applicant is prevented from making an identical application for sixty (60) days but advised he did not know if the Commissioners' had the same guideline.

There was discussion amongst the Commissioners, Greg Steuerwald, and Tim Dombrosky regarding the actions the Commissioners could take; move to accept and approve the request to withdraw the rezoning petition, move to uphold the denial of the Plan Commission for rezoning, or move to approve the request for rezoning.

Commissioner Whetstone moved to accept and approve the petitioner's request to withdraw the rezoning petition as presented. Commissioner Gentry seconded the motion and the motion was approved by majority 2-1-0. Commissioner Palmer opposed and stated the recommendation of the Plan Commission to deny the rezoning petition should've been upheld.

IN THE MATTER OF ZA 470/19: SAGAMORE READY-MIX

Tim Dombrosky presented an Ordinance to amend the zoning map of Hendricks County, from HB/Highway Business District to MI/Major Industrial District, commonly known as ZA 470/19: Sagamore Ready-Mix, S36-T14N-R1W, Liberty Township, 1 parcel totaling 10.66 acres, located at the southwest quadrant of the intersection of I-70 and State Road 39 at 10345 S. State Road 39, Clayton, IN and recommended approval. Tim Dombrosky advised the Plan Commission recommended approval of this zoning amendment unanimously during their January 14, 2020 Meeting, 5-0-0, with one (1) remonstrator from the Monrovia Town Council present. The remonstrator didn't oppose the rezoning, but expressed traffic and cosmetic concerns, all of which will be addressed and considered with the development plan approval process. Tim Dombrosky advised a Development Commitment Recording Form shall be attached to the parcel limiting the Major Industrial use list to a concrete production facility only and such use shall be further limited to a period of ten (10) years from the date the Commissioners approve the MI zoning and shall run with the parcel, be binding on the owner, and subsequent owners of the real estate and other persons acquiring interest therein, with the zoning to revert back to HB/Highway Business District after the ten (10) year period.

There was discussion amongst the Commissioners, Tim Dombrosky, and Ben Comer (attorney for the petitioner) regarding any current and future environmental issues. Ben Comer advised there were some environmental issues from the previous owner of the parcel, which have all been cleaned up, and stated there are not any future environmental issues with the proposed concrete plant.

Commissioner Whetstone moved to approve the Ordinance as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Ordinance No. 2020-04 to ZA

IN THE MATTER OF 2020 HEALTH BOARD ATTORNEY CONTRACT

Krista Click presented the 2020 Health Board Attorney Contract with Oliver & Cline LLP in the amount of \$2,750.00 plus \$250.00 per hour and requested approval.

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

IN THE MATTER OF PRELIMINARY DESIGN AGREEMENT FOR RONALD REAGAN PARKWAY

John Ayers presented the Preliminary Reimbursement Agreement for the Ronald Reagan Parkway with CountryMark Refining and Logistics, LLC for 100% of the actual, direct and indirect costs and expenses incurred by CountryMark necessary to complete certain survey, engineering, right-of-way, and surface site procurement studies estimated to be a total of \$17,500.00 and recommended approval.

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

IN THE INTERLOCAL AGREEMENT FOR COUNTY ROAD 100 S. IMPROVEMENTS WITH THE TOWN OF AVON

John Ayers presented the Interlocal Agreement for County Road 100 South Improvements with the Town of Avon (TOA) in the amount of \$2,883,674.00, which is 14.56% of the total projected costs for the project, estimated to be \$18,193,795.00 for the portion of the road between Dan Jones Road and Ronald Reagan Parkway. John Ayers advised he does not have funds budgeted for this Agreement and stated the part of the road in the County's jurisdiction includes one (1) bridge and approximately 1,700 feet of road.

There was discussion amongst the Commissioners, Greg Steuerwald, John Ayers, Curt Higginbotham, Ryan Cannon (TOA), and Greg Zusan (TOA) regarding area TIFs, annexation, relinquishment, the project details, the timing of the project, and the fact the County has other projects that are a priority to the County and require funding as well. The County receives less than \$3,000.00 per year from gas tax revenue for the portion in their jurisdiction.

Ryan Cannon advised a portion of the area is under a TIF and advised the TOA would be willing to give the County an extension of time for payment or establish an extended payment plan and stated the TOA would consider relinquishment of the road once the County participated in funding the improvements. The TOA is planning to bid the project in March or April of 2020 with the project being completed in 2021.

The Commissioners agreed the road needs improvements and inquired if the TOA would consider a smaller participation amount and relinquishment of the County's portion of the road to the TOA. Ryan Cannon and Greg Zusan did not know if that would be acceptable or not.

It was the consensus of the Commissioners to table the matter to the February 11, 2020 Commissioners' Meeting.

IN THE MATTER OF ELECTED OFFICIALS

Councilman David Cox reported the Town of Plainfield's Youth Assistance Program is progressing well.

IN THE MATTER OF 2020 COMMUNITY CROSSINGS GRANT APPLICATION

John Ayers presented a Letter of Support for the 2020 Community Crossings Grant Application and recommended approval.

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

IN THE MATTER OF COUNTY OWNED PROPERTIES PURCHASED FOR THE RONALD REAGAN PARKWAY

John Ayers reported the Town of Brownsburg's (TOB) Fire Department has requested to do training burns on the three (3) County owned houses purchased for the Ronald Reagan Parkway. John Ayers advised he is working with the TOB to draft an acceptable Agreement removing the liability from the County.

Commissioner Whetstone reported Starkey Farms has requested to cash rent the property the County purchased from them and would like to create a Lease Agreement with the County. Commissioner Whetstone stated Starkey Farms is concerned about damages to their crops if the County accesses the property while they're planted.

John Ayers advised he was not sure what the current going rate is for crop leasing and stated he has concerns about compensating Starkey Farms for any damage that may be caused by the County accessing the property before harvest and recommended any Agreement stipulate the County could access the property at any time to complete any work needed without a cost for damages.

Commissioner Gentry recommended contacting Purdue University for the current lease rates and offering Starkey Farms a lower lease rate to hold the County harmless for any crop damage that may occur.

It was the consensus of the Commissioners to proceed with drafting a Lease Agreement.

John Ayers requested permission to proceed with advertising for salvage bids for the barns on various properties in that area purchased for the Ronald Reagan Parkway.

It was the consensus of the Commissioners to proceed with advertising.

IN THE MATTER OF INTERSECTION OF S. RACEWAY RD. & E. NORTH COUNTY LINE RD.

John Ayers reported larger signs have been ordered for the intersection of S. Raceway Road and E. North County Line Road and stated they will be double posting the stop and stop ahead signs, as well as placing a non-permanent barricade and a larger double arrow sign on the south side of the T-intersection. All signs will have flashers and the rumble strips will be installed when the temperatures allow.

IN THE MATTER OF COUNTY ROAD 1000 NORTH AT STATE ROAD 267

John Ayers reported rumble strips will be installed on both approaches of County Road 1000 North at State Road 267 when the temperatures allow and will try to find a time frame of when INDOT plans to install their traffic signal at the intersection.

IN THE MATTER OF SUPPLEMENTAL AGREEMENT NO. 1 FOR BRIDGE NO. 200

John Ayers presented Supplemental Agreement No. 1 for Bridge No. 200, which is located on County Road 375, with SJCA P.C. in the amount of \$31,600.00 and recommended approval.

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

IN THE MATTER OF RONALD REAGAN PARKWAY FUNDING

Commissioner Whetstone inquired if John Ayers was applying for any grants for Ronald Reagan Parkway funding. John Ayers advised he would be applying for the INFRA grant again, reminding the Commissioners the County has been turned down for it the past two (2) times, and stated other funding options need to be researched.

Commissioner Whetstone inquired if contact needs to be made with Greg Guerrettaz, representative from Financial Solutions Group, to present funding options to the Council for consideration. Commissioner Palmer and Commissioner Gentry advised that seems to be the next step and expressed their concerns about the County's

total debt service as a substantial amount of funding is needed for Ronald Reagan Parkway, the new Jail and Sheriff's Office, and the new Highway Department Facility and stated the total debt service needs to be reviewed.

Commissioner Whetstone advised the Council implemented a tax to help with the cost of the bond for the new Jail and Sheriff's Office, but funding would still need to be determined for the Ronald Reagan Parkway and the new Highway Department Facility and requested the matter be placed on the February 4, 2020 Council Agenda.

IN THE MATTER OF NEW JAIL AND SHERIFF'S OFFICE

Kevin Cavanaugh advised the East Campus Boulevard will need to be completed from the Animal Shelter to the new section being constructed with the new substation and stated this was not factored into the cost estimate or design plan of the new Jail and will need to be added and budgeted for in 2021 to facilitate access to and around the site.

Kevin Cavanaugh reported the Evaluation Committee will be interviewing candidates for the Construction Manager as Constructor on February 18, 2020 and will present their recommendation and contract to the Commissioners on February 25, 2020. Commissioner Palmer, who is part of the Evaluation Committee, is not able to attend the interviews and has appointed John Ayers as her representative.

Commissioner Whetstone and Commissioner Gentry advised they thought the Commissioners would be interviewing the final recommendations from the Evaluation Committee and stated they would like to sit in on the interviews with the Committee, especially since there will not be another Commissioner present. Commissioner Palmer advised she would be reviewing the information from the interested candidates remotely. Commissioner Whetstone and Commissioner Gentry will join the Evaluation Committee for the interviews on February 18, 2020 at 9:00 AM and a Commissioners' Workshop will be scheduled and posted.

IN THE MATTER OF NEW HIGHWAY DEPARTMENT FACILITY

Kevin Cavanaugh reported he is still working with DLZ to develop a preliminary design Agreement for the new Highway Department Facility and will assist with site selection. Curt Higginbotham recommended the amount of space utilized for storing other department's equipment be considered when selecting a site for the new Facility or consider storing the equipment elsewhere and/or disposing of what is no longer used or has no value.

It was the consensus of the Commissioners to proceed with developing an Agreement for preliminary design.

IN THE MATTER OF REDISTRICTING

Todd McCormack reported he discussed the matter of redistricting the voting precincts with Laura Herzog and she believes nothing needs to be done until after the completion of the Census. Both districts and precincts will need to be adjusted but the implementation of the Vote Centers did not change the need as school board districts and other local elections could be affected.

Commissioner Whetstone advised he and Commissioner Gentry spoke with Laura Herzog about the matter recently as well and felt comfortable with her response and with waiting until after the Census was complete.

IN THE MATTER OF LIBERTY TOWNSHIP EMERGENCY SERVICES

Todd McCormack reported he met with Jeff Dixon, Fire Chief for Liberty Township fire Department, on January 27, 2020 to discuss Liberty Township Emergency Services and the upcoming TIF money that may be available to use to purchase a new or upgraded ambulance instead of asking his Board for the money for the ambulance. Todd McCormack advised the issue of the Town of Plainfield (TOP) covering runs for Liberty Township was also discussed and there is now an Agreement in place to compensate the TOP \$300.00 per run for covering for Liberty Township.

Commissioner Whetstone advised there is some TIF money that could be available and stated he has been in discussions with Liberty Township in the past regarding a new or upgraded fire truck.

IN THE MATTER OF PHONE SYSTEM UPGRADE

Doug Morris reported installation of the phone system upgrade in the Government Center is planned to begin the first week of March.

IN THE MATTER OF FIREEYE SECURITY

Doug Morris reported installation of the FireEye Cybersecurity software is anticipated to be around the first of March and advised the Secretary of State has filed for an amendment to the Senate Cybersecurity bill stipulating that every County shall enter into an Agreement with the Secretary of State's Office for the software. Doug Morris reminded the Commissioners the software is at no cost to the County through December 31, 2022 but does not know if the funding will continue past then if it becomes mandated by the proposed amendment.

IN THE MATTER OF COMMENTS FROM THE FLOOR

Sheriff Brett Clark reported the US Department of Agriculture offers funding for emergency vehicles for smaller communities and advised he would send the contact information to Todd McCormack and the Commissioners.

IN THE MATTER OF COMMISSIONERS

Commissioner Whetstone offered two (2) tickets to the Soil and Water Conservation dinner at the Fairgrounds as he is not able to attend.

Commissioner Palmer reported she was alerted about some new proposed legislation regarding exterior aesthetics and inquired if Tim Dombrosky is following the information. Tim Dombrosky advised he is following it and it would inhibit any authority from prohibiting the use of any materials.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

CHECKS RECEIVED

1. \$285.00	OB Services	Claim No. 0AB276925-01-01	Sheriff's Department
2. \$2,000.00	Scott County Sheriff's Office	Proceeds from Sale of Sheriff's Van	
3. \$4,000.00	Town of Plainfield	2020 Hendricks County Partnership for Water Quality	
4. \$10,772.91	Town of Plainfield	Pictometry Flight 1 Fall 2019	

STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the Engineering Department Report of January 28, 2020 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of January 28, 2020 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of January 28, 2020 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of January 28, 2020 from Doug Morris.
5. Receipt was acknowledged for the Human Resources Report of January 13, 2020 through January 24, 2020 from Erin Hughes.
6. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period of December 1, 2019 through December 31, 2019 from Tim Dombrosky.
7. Receipt was acknowledged for the Parks & Recreation Department Report of January 24, 2020 from Ryan Lemley.

CORRESPONDENCE RECEIVED

1. Minutes and Meeting Agenda from Cummins Behavioral Health Systems, Inc. Board of Directors.
 2. Notice of Public Hearing by the Danville Plan Commission from Comer Law Office for the property located at 1200 Sycamore Lane, Danville, Indiana.
 3. 2020 Township Assistance Guidelines from the Guilford Township Trustee.
 4. Letter from Marathon Pipe Line, LLC. regarding scheduled right-of-way vegetation clearing.
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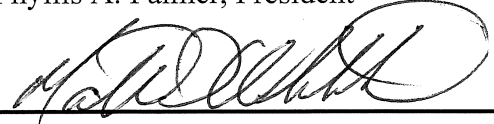
IN THE MATTER OF ADJOURNMENT

Commissioner Whetstone moved to adjourn the Hendricks County Commissioners' Meeting at 10:54 AM on
Commissioners' Meeting Minutes – January 28, 2020

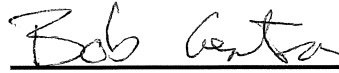
Tuesday, January 28, 2020. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.



Phyllis A. Palmer, President



Matthew D. Whetstone, Vice President



Bob Gentry, Member