

**HENDRICKS COUNTY COUNCIL
APRIL 7, 2020**

The regular meeting of the Hendricks County Council was called to order, via web conference by President David Wyeth on Tuesday April 7, 2020 with the following in attendance: David Cox, Financial Administrator Tami Mitchell and Auditor Nancy Marsh. Caleb Brown, Larry Hesson, Larry Scott, Eric Wathen and Brad Whicker were present via the web conference. Councilman Caleb Brown led the Pledge of Allegiance.

IN THE MATTER OF MARCH 3, 2020 COUNCIL MINUTES

It was moved by Brad Whicker and seconded by David Cox that the minutes of the March 3, 2020 meeting as corrected. Motion carried 7-0.

IN THE MATTER OF THE APPLICATION FOR DESIGNATION OF ECONOMIC REVITALIZATION AREA FOR RAINDROP, LLC WESTPOINT BUILDING I, LLC AND RAINDROP, LLC, WESTPOINT BUILDING II

Via web conference, Jeff Pipkin, Executive Director of the Hendricks County Economic Development Partnership presented the Application for Designation of Economic Revitalization Area for Raindrop, LLC Westpoint Building I, LLC. Mr. Pipkin stated the estimated value of Building I, constructed by Ambrose, will likely be purchased by a future user with a purchase agreement, date to be determined, is \$9,610,000 and was requesting a 10-year Tax Abatement. It was moved by Brad Whicker and seconded by Eric Wathen to approve Resolution 2020-14 Designating Economic Revitalization Area and Qualifying Certain Real Property and Improvements for Tax Abatements for Raindrop, LLC Westpoint Building I, LLC. Motion carried 7-0.

Via web conference, Jeff Pipkin, Executive Director of the Hendricks County Economic Development Partnership presented the Application for Designation of Economic Revitalization Area for Raindrop, LLC Westpoint Building II, LLC. Mr. Pipkin stated the estimated value of Building I, constructed by Ambrose, will likely be purchased by a future user with a purchase agreement, date to be determined, is \$21,330,000 and was requesting a 10-year Tax Abatement.

Discussion was held about what assurances had been put in place should the developer file an appeal based on the Dark Box theory after they had been granted an abatement. Councilman Brown stated there should be some form of protection in place to protect the county taxpayers. Councilman Hesson stated he agreed there should be some protection and with no claw back provision in place, the current law allows the dark box appeals to go back for years, which negatively affects the units that have already received and spent the tax revenue. Mr. Hesson recommended reaching out to Boone County as they have been actively involved in dealing with lawsuits on appeals based on the dark box theory. Mr. Pipkin committed to reaching out to his peers about any restrictions they have put in place to protect the taxpayers.

Auditor Nancy Marsh stated that these two abatements are within a TIF District which in effect cuts the revenue for the payback to Hendricks County and the bond owner in half for the next ten years. It was moved by Brad Whicker and seconded by Larry Hesson to approve Resolution 2020-15 Designating Economic Revitalization Area and Qualifying Certain Real Property and Improvements for Tax Abatements for Raindrop, LLC Westpoint Building II, LLC. Motion carried 7-0.

IN THE MATTER OF THE TIF ANNUAL REPORTS

The TIF Annual Reports were presented for the 70 West TIF, 70/39 TIF, Westpoint TIF, Heartland Crossing TIF, Pittsboro TIF and Ronald Reagan TIF. Auditor Nancy Marsh stated the Hendricks County Redevelopment Commission received the reports by the required April 1, 2020; and the date of the Council receiving the reports of April 15 has been met. It was recommended that further discussion could take place at the April 15 joint meeting of the Council and Commissioners, where financial consultant Greg Guerrettaz could participate. It was moved by Eric Wathen and seconded by Brad Whicker to review and accept the 2020 TIF Annual Reports as presented. Motion carried 7-0. Auditor Marsh will submit the TIF Annual Reports on Gateway no later than the April 15, 2020 deadline.

IN THE MATTER OF HUMAN RESOURCES

Human Resources Administrator, Erin Hughes, presented the request for approving the job description and pay band grade for the Asset Coordinator position. Ms. Hughes stated that Highway plans on hiring internally. It was moved by David Cox and seconded by Larry Scott to approve the Asset Coordinator job description and Pay Band of LTC 3. Motion carried 7-0.

Human Resources Administrator, Erin Hughes, stated she had sent the Council and Commissioners an email notifying them that Jeff Fox and Caitlin Hodge has left H.J. Spier and have gone to Conner Health and Benefits. Ms. Hughes question to the Benefits Committee is whether the Council would like to make a recommendation to the Commissioners to recommend that Hendricks County move to Conner Health and Benefits, stay with J. J. Spier, or shop for another agent/broker.

Councilman Brad Whicker stated he was in favor of staying with Jeff Fox as the Hendricks County broker through Conner Health and Benefits. Mr. Whicker stated it is not the right time to make a move. Councilman Brown stated that he agreed with Mr. Whicker, but he is always in favor with investigating vendors and at this time he is indifferent to the request. Councilman Eric Wathen stated he was in favor of staying with the broker, Jeff Fox. Councilman Larry Hesson stated that Jeff has done a remarkable job for Hendricks County and agrees it is a terrible time to make a change and was in favor of staying with Jeff Fox as the broker. Councilman David Cox stated he was okay for now with staying with our broker Jeff Fox. Mr. Whicker stated that Mr. Fox made the possible move known to the Council at the end of 2019.

It was moved by Larry Hesson and seconded by Brad Whicker to recommend to the Commissioners that the County stay with Jeff Fox as our broker through January 1, 2021. Motion carried 7-0. President Wyeth stated Mr. Fox was in place as our broker through the contract signed January 14, 2020 by the Hendricks County Commissioners.

Auditor Nancy Marsh asked for legal clarification because her memory of the contract signed by the Commissioners on January 14, 2020 was the contract was with *Jeff Fox of H.J. Spier*.

Human Resources Administrator Erin Hughes asked for direction from the Council regarding replacing an employee in vacant position for the unforeseeable future. Ms. Hughes gave examples of two current Probation support staff hires that were scheduled to start April 14. It was the unanimous consensus of the Council that the Auditor and Human Resources will work on the

concise language describing the hiring freeze and designating essential public safety employees that may be exempt from the freeze and to allow the all the Probation support staff to move forward with the two Probation support staff hires.

IN THE MATTER OF THE HEALTH DEPARTMENT UPDATE REGARDING THE CORONAVIRUS

Hendricks County Health Officer, Dr. David Stopperich gave an update on the COVID-19 status in Hendricks County. Dr Stopperich reported Hendricks County has 196 confirmed cases and 5 deaths. Dr. Stopperich stated all the planning has come to fruition and things are *so far so good* but expect more to come. It was reported Hendricks Regional Health and our Health Department are accepting donations. Dr. Stopperich stated we are right on track and taking big steps, but big steps save lives. Councilman Cox asked how the numbers compared to deaths from the regular flu season. Dr. Stopperich stated he didn't have the numbers in front of him but thought there had been about 150 flu deaths. Mr. Cox asked if the Council could receive comparison reports between COVID-19 and the flu.

IN THE MATTER OF THE EMERGENCY ADDITIONAL APPROPRIATIONS

Dan Chubbs, Chief Deputy Coroner, explained the request for emergency first responder radios for the Coroner's Office. It was moved by David Cox and seconded by Larry Scott to approve emergency additional appropriation #1 in the amount of \$79,203.97 from the Statewide Emergency 911 Fund. Motion carried 7-0.

Having been favorably approved at the March 3, 2020 Council meeting, it was moved by Eric Wathen and seconded by Larry Scott to ratify the March 3, 2020 approval of emergency additional appropriation #2 as presented. Motion carried 7-0.

Park Director, Ryan Lemley presented a request to fund the \$50,000 shortfall for the WS Gibbs Phase I project plus a contingency in the amount of \$170,000. Mr. Lemley stated that if it was not used for the WS Gibbs Phase I project, the appropriation would be gone, and the funds roll back into the Food & Beverage Fund. It was moved by Larry Hesson and seconded by David Cox to approve emergency additional appropriation #3 in the amount of \$220,000. Motion carried 7-0.

Councilman David Cox, on behalf of the Plainfield Youth Assistance Program requested start up costs for the Youth Assistance Board for IRS filing fees, bank fees, and board insurance. Auditor Nancy Marsh stated she had recommended to Mr. Cox that this be presented as a request from Food and Beverage before the pandemic had started and was now recommending that it be paid from the Council's professional fees line item. It was the consensus to withdraw the request Food & Beverage and pay from the Council's existing budget.

Prosecutor Loren Delp paid special thanks to IT Director Doug Morris and staff member Dan Higbie for their work in accommodating the Prosecutor's Office to work from home.

Mr. Delp explained his request for \$25,000 to be appropriated from Pre-Trial Diversions to account 38300 Criminal Investigations. It was moved by Larry Hesson and seconded by David Cox to approve emergency additional appropriation #5 in the amount of \$25,000. Motion carried 7-0.

Auditor Nancy Marsh explained the request for the Local Cumulative Jail Fund in the amount of \$2,032,199, the balance in the fund. Mrs. Marsh stated that in 2018 the Council approved appropriations in anticipation of invoices being submitted before the bond was in place. Mrs. Marsh stated she has now transferred all those appropriations to the Local Cumulative Jail Fund and was requesting the full balance be appropriated at this time. Mrs. Marsh stated these dollars can be used as local money contributed or can be repaid by the bond. Mr. Kevin Cavanaugh explained that the project has been paused but we a current bill for the schematic design in the amount of \$347,700 completing the contract amount of \$985,150.00. It was moved by Larry Hesson and seconded by Caleb Brown to approve emergency additional appropriation #6 in the amount of \$2,032,199. Motion carried 6-0-1 (EW abstained).

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.	Statewide 911 Coroner	1222.42711.000.0107	Radios	\$79,203.97	\$79,203.97
2.	Statewide 911 ARES	1222.42711.000.0102	Repeaters & Equip	\$8,138.62	\$8,138.62
3.	Food & Beverage Parks	1157.37857.000.0156	Phase I WS Gibbs	\$220,000.00	\$220,000.00
4.	Food & Beverage Council	1157.30201.000.0149	YAP Start Up Costs	\$2,592.00	Withdrawn
5.	Pre-Trial Diversions	2501.38300.000.0108	Criminal Investigations	\$25,000.00	\$25,000.00
6.	Local Cumulative Jail	4943.33410.000.0102	Jail Planning	\$2,032,199.00	\$2,032,199.00

Adopted this 7th day of April 2020.

AYE

NAY

- /s/ Caleb Brown
- /s/ David Cox
- /s/ Larry R. Hesson
- /s/ Larry Scott
- /s/ Eric Wathen
- /s/ Brad Whicker
- /s/ David Wyeth

Attest: /s/ Nancy L. Marsh

OTHER COUNCIL BUSINESS

Auditor Nancy Marsh presented the Status of Funds report. There were no questions or comments on the Status of Funds.

Sheriff Brett Clark, via conference, stated they are working hard to mitigate the virus and have had a couple of scares. Sheriff Clark stated they currently have 181 inmates. Sheriff Clark stated that they can obtain 1st Responder Tests through Eli Lilly.

Sheriff Clark asked if an employee is infected through work, would it be considered under Worker's Compensation? Erin Hughes, Human Resources Administrator, stated she had been in touch with John Parmley and if it was a work event, it a record would be filed with Worker's Compensation.

Sheriff Clark thanked everyone for their support and prayers.

Councilman Brown reported on the cash resilience of Hendricks County Tourism and stated they have adequate cash reserves. As information, Auditor Nancy Marsh stated that the county is back-up for Tourism's bond for the convention center should something catastrophic occur.

Council President David Wyeth thanked the employees and elected officials for their work and patience during the pandemic crisis.


Councilman Larry Hesson asked if the division of the 3% of the Innkeeper's Tax would be on the May agenda. Auditor Marsh stated it would be on the May agenda.

Larry Hesson expressed that even though Hendricks Regional Hospital is run independently, the county is ultimately the financial base and we could be looking at liability. Commissioner President, Phyllis Palmer, via conference, stated the County appoints all five board members and it remains a county hospital. Auditor Nancy Marsh stated that Hendricks Regional Hospital is a component unit and must be included on our GAAP financials.

There being no further business to come before the Council, upon final motion made by Larry Hesson and seconded by Larry Scott, the meeting was adjourned at 10:40 a.m. on Tuesday, April 7, 2020. Motion carried 7-0.

HENDRICKS COUNTY COUNCIL

Caleb M. Brown



David Cox

/s/ Larry R. Hesson n m


Larry R. Hesson




Larry R. Scott

Attest: 


Nancy L. Marsh, Auditor



Eric Wathen



Brad Whicker



David Wyeth