

October 16, 2000

The Hendricks County Board of Commissioners met in regular session at 10:30 AM on Monday, October 16, 2000, in the Commissioners' Meeting Room on the first floor of the Hendricks County Government Center with the following in attendance:

John D. Clampitt
John A. Daum
Hursel C. Disney
Gregory E. Steuerwald
Walt Reeder
John Tarantino
Russ Lawson
Debbie Reeder
Peggy Nichols
Mary Anne Lewis
Judith A. Wyeth

IN THE MATTER OF HIGHWAY

Russ Lawson reported the Highway Department is working on roadside ditches.

Receipt was acknowledged of a request from Alan Murphy for the County to take over Lafayette Street, a private street in the Town of Belleville. Commissioner Clampitt moved to refer the matter to Russ Lawson and the County Attorney to send a letter of response to Mr. Murphy. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

There was discussion of Indiana Street and of the increased traffic from Heritage Lake in Putnam County coming across the east/west roads in Hendricks County.

IN THE MATTER OF NORTH/SOUTH CORRIDOR

John Tarantino presented the October 13, 2000, letter from Tom Klein, Avon Town Manager, relative to urban v Rural Standards for the North/South Corridor as discussed by the Avon Town Council on October 12. Mr. Klein stated that it was their belief that the North/South Corridor should have one standard for the whole corridor and since the only existing portion of the Corridor has a rural standard, that this standard should apply to the entire Corridor. Also, that the Town Council believes that if certain towns desire to upgrade to an Urban standard for the corridor portion within their corporate limits, then the Town should pay for the difference in cost. There was discussion of funding and standards if this was two lanes or four lanes. Commissioner Disney moved to instruct the Engineering staff to notify the state to let bids for a two-lane road between CR 100N and 200N. The motion died for lack of a second. There was discussion of the recommendation for four lanes by the Elected Officials Task Force. Commissioner Clampitt moved that the Engineer advertise two additional lanes, that making four lanes, and funding, if available, thru the State and Federal Government to fund this project as curb and gutter and submit to state and that the state fund for a two-year project. Commissioner Daum seconded the motion and the motion was approved unanimously. 2-1-0 with Commissioner Clampitt and Daum voting aye and Commissioner Disney voting nay.

IN THE MATTER OF CONTRACTOR'S COMPLETION AFFIDAVIT - MIP-773 & MIP-801

Walt Reeder presented Contractor's Completion Affidavit and Certificate of Completion and Compliance for MIP-773: John W. Havens. Commissioner Clampitt moved, per staff recommendation, to accept the Contractor's Completion Affidavit and Certificate of Completion for MIP-773 as presented. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

Walt Reeder presented Contractor's Completion Affidavit and Certificate of Completion and Compliance for MIP-801: Joseph A. Pecar and to return the performance bond. Commissioner Clampitt moved, per staff recommendation, to accept the Contractor's Affidavit and Certificate of Completion and return bond for MIP-801 as presented., Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

IN THE MATTER OF SUBDIVISION BOND REVISIONS

Walt Reeder presented a request for Linden Square, Phase 4, to release the performance bond upon receipt of a maintenance bond in the amount of \$28,200 and that this development is subject to a Legal Drain Assessment. Commissioner Clampitt moved, per staff recommendation, to release the performance bond upon receipt of a

maintenance bond as presented for Linden Square, Phase 4. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

Walt Reeder presented a request for Site Plan Review 135: Avon Craft Mall to release the performance bond in favor of a maintenance bond in the amount of \$3,200. Commissioner Clampitt moved, per staff recommendation, to revise the bonds for Site Plan Review for Avon Craft Mall as presented. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

IN THE MATTER OF COUNTY HOME

Peggy Nichols presented a request to admit Charles Raymond Howard on a temporary basis on the recommendation of the Center Township Trustee and that she will make application to ARCH. Commissioner Clampitt moved, on recommendation of Center Township Trustee and County Home Administrator, to admit Charles Howard on a temporary basis until the County Home Administrator makes the decision to accept as permanent resident or to terminate his residency. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

There was discussion of the new state form with limited reference for informational listing. Commissioner Clampitt recommended that the County Home Administrator request a letter be submitted from the Trustee and that she contact the state for use of the previous forms. There was discussion of adding information to the new form or to use the old form. Greg Steuerwald advised to use both the new form and the old form. The Commissioners directed Ms. Nichols to call the state and discuss these new forms and report back at a later date.

IN THE MATTER OF ANIMAL CONTROL

Mary Anne Lewis requested approval to send six employees of the Animal Shelter to training in Missouri. Commissioner Clampitt moved that Ms. Lewis go to the next Council meeting and request additional funds in the Commissioners' budget for this training and that she represent herself to the Council. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

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IN THE MATTER OF TRICK OR TREAT NIGHT FOR HALLOWEEN

There was discussion of a designated night for Halloween Trick or Treat. Steve Stoddard advised that the actual Halloween Night is Tuesday, October 31, 2000, and it would be the recommendation of the Sheriff Department that only that night be designated. Commissioner Clampitt moved, per Sheriff Department recommendation, to designate Tuesday, October 31, 2000, from 5 PM – 9 PM as Trick or Treat night in Hendricks County and to send a letter to all local towns and the media of this decision. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

The meeting recessed for lunch in the lounge in honor of Boss's Day and to resume at 1:00 PM in Rooms 4-5

IN THE MATTER OF ZA-239/WA00-03: Lee Development

Greg Steuerwald advised that he had just received information relative to the legality of the 2000 Resolution on Planned Unit Developments in Washington, Brown and Lincoln Townships and that he would like to review this material. Commissioner Disney moved to continue ZA-239/WA00-03: Lee Development (Masten Farm) to a future time until the County Attorney has had time to review and to make a recommendation and that this be continued until the Tuesday, November 13, 2000, meeting. Commissioner Clampitt seconded the motion and the motion was approved unanimously. 2-1-0 with Commissioners Disney and Clampitt voting aye and Commissioner Daum voting nay.

IN THE MATTER OF ZA-244/CE00-02: TAMMIE DAVENPORT

Walt Reeder presented ZA-244/CE00-02: Tammie Davenport requesting a change in zoning classification from an S-1: Low Density, Single Family Residential District to an I-4: Industrial Park for 7.00 acres in Center Township located on the east side of CR 150E, 0.50 mile north of CR 200S, stating that there was a self-imposed condition for a commercial kennel only and would be for twenty or less dogs with no expansion. Mr. Reeder stated that both the staff and Plan Commission sent a favorable recommendation of 6-0-0. Commissioner Clampitt moved, per staff and Plan Commission recommendation to approve ZA-244/CE00-02 with self-imposed restrictions as stated in Ordinance 2000-24. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

IN THE MATTER OF ZA-247/GU00-03 – CAL-CAIT, LLC

Walt Reeder presented ZA-247/GU00-03: Cal-Cait, LLC for a zoning change from an R-2: Medium Density, Single Family Residential District to a C-2: General Commercial District for 0.31 acres in Guilford Township located on the west side of CR 825ED, 0.33 mile north of Hendricks County Road. Mr. Reeder stated that this comes with a favorable staff recommendation and an unfavorable Plan Commission recommendation by a vote of 6-0-0. The following citizens came forward to speak on this zoning request:

Gene Margiotti expressed concerns for heavy truck traffic, large machinery and aesthetics.

Cheryl Terry expressed concerns that the road won't handle this heavy traffic, the beeping from the machinery begins at 5 AM until late at night and that there is too much noise for a residential area as her husband works nights and needs to sleep during the day, but it is too noisy.

Mr. Reeder explained the zoning requirements.

Leo Rost stated that this doesn't belong in a residential area and that this expansion will hurt the existing residential.

Ben Comer stated that most of the noise had been due in part to filling in a drainage pond which is now complete and that this area is currently a mixed-use area so that any of the concerns expressed would be resolved during the Site Plan Review, which will have restrictions of "office" or "professional".

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John Tarantino	Hendricks County Engineer
Russ Lawson	Hendricks County Highway Superintendent
Debbie Reeder	Hendricks County Auditor
Peggy Nichols	Hendricks County Home Administrator
Mary Anne Lewis	Hendricks County Chief Animal Control Officer
Judith A. Wyeth	Secretary to the Commissioners

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IN THE MATTER TZA-00-02 – FLOODPLAINS MANAGEMENT CHAPTER 32

Walt Reeder stated that due to state and federal regulations and guidelines this section of the Zoning Ordinance had been updated and that it comes with a favorable recommendation from staff and from the Plan Commission with a vote of 6-0-0 Commissioner Clampitt moved, per staff and Plan Commission recommendation, to approve as Ordinance No. 2000-26 as it is a mandate. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

IN THE MATTER OF INDIANA STREET

There was discussion of doing a traffic study of this area in response to concerns expressed for Indiana Street south of SR 267.

IN THE MATTER OF PLANNING - PUD RESOLUTION 2000

Gary Smith requested clarification of the recently approved PUD Resolution 2000. Duane Little of the Washington Township Fire Department requested that this minimum requirement between houses be twenty feet in the higher density areas for safety of our residents. There was discussion of firewalls and residential sprinklers for high-density homes.

IN THE MATTER OF SPRINT TOWER LEASE

Greg Steuerwald presented the Sprint Tower Lease Amendment stating that the county would receive 10% of any leasor subleases. Commissioner Disney moved to approve the proposed Amendment for Sprint Tower Lease as presented. Commissioner Clampitt seconded the motion and the motion was approved unanimously. 3-0-0

IN THE MATTER OF CONNECTOR ROAD OF NEW US 36 AND OLD US 36

Bill Ottinger came forward as a “Wishes to be Heard” on behalf of Mike Eaton and requested support from the Commissioners, Town of Danville and Hendricks Community Hospital to make a formal request to the Indiana Department of Transportation (INDOT) for a connector road between new US 36 and old US 36 within the Town of Danville. It was the consensus of the Commissioners to send a letter of support to INDOT, subject to approval by the County Attorney.

IN THE MATTER OF ROADSIDE DITCHES – AIRPORT AREA

Raymond Rost and Leo Rost came forward to advise that the airport is not cutting the roadside ditches correctly and that they have cut a field tile causing drainage problems in the airport area. There was discussion of the ditches and that a tile ditch cannot be cut. The Commissioners referred this matter to the Surveyor and Weed Board to resolve.

IN THE MATTER OF CLAIMS

Commissioner Clampitt moved to approve claims #202506 thru 202685 and #202876 thru 202801 as presented. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

IN THE MATTER OF EMERGENCY MANAGEMENT

Tom Drake presented the final inventory of equipment in the Emergency Management Department. It was the

consensus of the Commissioners to accept this list.

IN THE MATTER OF TORT CLAIM – JOSEPH WORKHOUSE

Receipt was acknowledged of Tort Claim from Eckert, Eckert and Craven on behalf of Joseph Woodhouse for injury of June 12, 2000.

IN THE MATTER OF VICTIMS OF VIOLENCE - PROCLAMATION

Commissioner Clampitt moved to proclaim October as Victim of Violence Month and that Hendricks County would have “zero” tolerance of domestic violence. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0. Commissioner Clampitt also announced that there would be a candle light vigil on the Courthouse lawn near the fountain on Thursday, October 26, 2000, at 8:00 PM

IN THE MATTER OF COMPUTER CONTRACT - QUEST

Auditor Debbie Reeder stated that she and Greg Steuerwald are working on the missing computer contract.

There being no further business the meting recessed at 2:55 PM

John A. Daum

Hursel C. Disney

ATTEST: _____
Debbie Reeder. Auditor

John D. Clampitt
