

December 2, 2002

The Hendricks County Board of Commissioners met in regular session at 9:55 AM on Monday, December 2, 2002, with a quorum of three (3) Commissioners in the Commissioners' Meeting Room on the first floor of the Hendricks County Government Center with the following in attendance:

Steven L. Ostermeier	)	
Linda Palmer	)	Hendricks County Board of Commissioners
John D. Clampitt	)	
Gregory E. Steuerwald		Hendricks County Attorney
Nancy L. Marsh		Hendricks County Auditor
Amy Roberts		Hendricks County Treasurer
Sharon Dugan		Hendricks County Clerk
John Ayers		Hendricks County Engineer
Terry Jones		Hendricks County Planning Director
Russ Lawson		Hendricks County Highway Superintendent
Jerry Bowden		Hendricks County Human Resources Director
Todd Barker		Hendricks County Planning Department
Judith Wyeth		Secretary to the Commissioners

---

#### IN THE MATTER OF RENO – VACATION OF STREET

Attorney Ben Comer presented a request from Christine Berry for a vacation of a street, situated south of and abutting lots sixteen (16) and seventeen (17) in the original Town of Reno, along with green cards for notifying adjoining property owners and legal notices from the Danville Republican and Hendricks County Flyer.

Commissioner Clampitt moved to approve the request for the vacation of a street in the Town of Reno as presented and that Mr. Comer revise the ordinance and bring back as Ordinance No. 2002-35. Commissioner Palmer seconded

the motion and the motion was approved unanimously 3-0-0.

---

#### IN THE MATTER OF 4-H SITE PROPOSALS

John Ayers recommended to award the 4-H Site Proposal to Mussett Nichols and Associates and DLZ as first choice and advised that second choice was RQAW. Mr. Ayers requested to negotiate the contract with Mussett Nichols and Associates and DLZ and advised that Mussett Nichols & Associates have done some previous work at the 4-H fairgrounds. Commissioner Clampitt moved to allow the County Engineer to proceed with fee and contract negotiations with Mussett Nichols as first choice and RQAW as second choice. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

---

#### IN THE MATTER OF HIGHWAY BIDS/QUOTES

At 10:00 AM Commissioner Clampitt moved to close the acceptance of any additional bids/quotes for Highway.

Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. Commissioner

Clampitt moved that John Ayers and Russ Lawson open the bids and quotes which have been received in Room 4-5

and bring back a recommendation in two weeks, at the December 16, 2002, meeting. Commissioner Palmer seconded

the motion and the motion was approved unanimously 3-0-0. County Attorney Greg Steuerwald stated this is an open meeting and anyone could move to Room 4-5 to hear bids and quotes, but that no additional bids/quotes can be received.

---

#### IN THE MATTER OF KEERS LIGHTING – HAL TRUAX

Hal Truax came forward to express concerns of extremely bright lighting on the Dan Keers' property at 1300 and

1340 E. U.S. Highway 136, stating that the lighting effects his bean crop in the adjoining field and a rental house directly across the road. Mr. Truax also stated that he is an adjoining property owner, however, he was not notified of this development. Terry Jones explained the appeal process. Greg Steuerwald advised the need to verify notices to

property owners were sent and the conditions of approval for the development of the Keers' property. It was the consensus of the Commissioners that the concerns be checked and to bring back next week.

---

#### IN THE MATTER OF CLAIMS

Commissioner Clampitt moved to approve claims #103939 thru 104319 as presented December 2, 2002.

Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

---

#### IN THE MATTER OF ZA-289/BR02-04: LEWIS GROUP

Attorney Lee Comer came forward to request a continuance on behalf of Dick Lewis and Bill Roach for zoning change ZA-289/BR02-04: The Lewis Group. Commissioner Clampitt moved to continue ZA-289-BR02-04 as requested. The motion died for lack of a second. Terry Jones presented ZA-289/BR02-04: The Lewis Group, Inc., requesting a change in zoning classification from R-A: Single Family (12,500) Residential District, to a PUD: Planned Unit Development District, for 380 acres in Brown Township located on the northeast corner of CR 950E and CR 955N, 0.25 mile west of CR 1075E, and on the north side of CR 1000N and the east side of CR 1000E to

the

Boone County Line. Mr. Jones advised that the Plan Commission held a public hearing for this request and it comes with a unfavorable recommendation 5-1-0 and has some loose ends in the proposed development including sewer plan issues and detail in the plan. Lee Comer explained this proposed 729-lot development, to be known as Presidential Estates has a proposed on-site sewer plant. Commissioner Ostermeier asked for public comment. Bill Sibbling expressed concerns of the Brown Lincoln Townships Group relative to roads, traffic, fire protection, school, sidewalks along roads sand drainage issue. Terry Jones explained the differences between this parcel being developed as a planned unit development and as a major subdivision. Commissioner Palmer moved to deny ZA-289/BR02-04 for Presidential Estates presented by the Lewis Group, as Ordinance No. 200-45, as recommended by the Plan Commission. Commissioner Ostermeier seconded the motion and the denial was approved 2-0-1 with Commissioners Palmer and Ostermeier voting aye and Commissioner Clampitt abstaining.

---

#### IN THE MATTER OF TREASURER – NACO

Treasurer Amy Roberts advised that she had been selected to serve as a director of the NACO Treasurer's Association and requested that the Commissioners fund the bi-annual dues of \$175 and the attendance at the legislature and annual conference. Commissioner Clampitt moved to approve funding the NACO dues and for the attendance of Treasurer Amy Roberts to attend the conferences as requested. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. The Commissioners congratulated Amy for being selected as one of only two county treasurers in the state to serve and commended her for her outstanding work.

---

#### IN THE MATTER OF COMMISSIONERS' MEETINGS

There was discussion of changing the meeting days for the 2003 Commissioners' meetings. Commissioner Palmer moved to change the Commissioners' meeting days in 2003 to Tuesday and to meet the first three Tuesdays at 9:30 AM, the fourth Tuesday at 6:30 PM and no meeting on the fifth Tuesday. Commissioner Ostermeier seconded the motion and the motion was approved 2-0-1 with Commissioners Palmer and Ostermeier voting aye and Commissioner Clampitt abstaining.

---

## IN THE MATTER OF EMPLOYEES EARNED VACATION

Jerry Bowden presented a request for employee earned vacation days to become effective on January 1 rather than their anniversary date, as is the current policy. Auditor Nancy Marsh stated changing the effective date to January 1 would be easier to track, however, they do not have software for vacation/sick days. Commissioner Clappitt moved to take no action until software is investigated and to refer to the Personnel Committee. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Jerry Bowden requested additional vacation days for employees based on time of service. Commissioner Clappitt moved to refer this request to the Personnel Committee and to the Council. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

---

## IN THE MATTER OF CLERK'S OFFICE

Clerk Sharon Dugan came forward to advise that First Deputy Cindy Spence has been carrying an extra load in the office while an employee is off due to the serious illness of her husband, and that Ms. Spence will be unable to use four of her vacation days this year. Ms. Dugan requested approval for Ms. Spence to carry these four days over for use in 2003. It was the consensus of the Commissioners that Greg Steuerwald and Jerry Bowden work out the wording for this request and to refer to the Personnel Committee for a recommendation.

---

## IN THE MATTER OF TZA02-05

Todd Barker presented TZA02-025: an amendment to the Zoning Ordinance, Chapter 16, R-B Single Family (12,500) Residential District, Section 16.05(A) – Property Development Standard and advised that this was omitted from the ordinance. Mr. Barker stated that the Plan Commission held a public hearing on November 12 and sends this zoning amendment with a favorable recommendation. Commissioner Clappitt moved to approve TZA02-05 as Ordinance 2002-46 as presented and approved by the Plan Commission. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

---

## IN THE MATTER OF HIGHWAY

Russ Lawson advised that the Highway Crew is working on several projects and that they have the snowplows ready.

---

IN THE MATTER OF TOWN OF DANVILLE – ROADS

John Ayers advised that he had met with representatives on the Town of Danville on road issues relative to CR 200S and 150E and for Cartersburg Road and CR 100N and Morrow Lane. Mr. Ayers further advised that Danville is caring for these roads, however, the State says they must annex these areas in order to be reimbursed and requested that the County turn over revenues received from the State for these roads to the Town of Danville. Attorney Greg Steuerwald stated they could amend the annexation. It was the consensus of the Commissioners that the County Engineer check with the Town of Danville on this recommendation.

---

IN THE MATTER OF CR 200N AND SR 267

John Ayers presented a draft letter to the Crawfordsville Indiana Department of Transportation (INDOT) requesting a signal at the intersection of CR 200N and SR 267. It was the consensus of the Commissioners to execute and send this letter as presented by the County Engineer.

---

IN THE MATTER OF MIP-811: SETTLES

Terry Jones presented a request for MIP-911: Richard and Kathy Settles, stating that based on a recent on-site inspection of this project by the Planning Department that the improvements have been adequately maintained for the required one year period and recommended that the maintenance bond in the amount \$1,110.50 be released. Commissioner Clampitt moved to approve the release of the maintenance bond of \$1,110.50 for MIP-811, as recommended by the Planning Director. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

---

IN THE MATTER OF MIP-928: NYSEWANDER

Terry Jones presented the Contractor's Completion Affidavit for MIP-928: Nysewander, and to waive the maintenance bond as it would be less than \$1,000. Commissioner Clampitt moved to accept and execute the Contractor's Completion Affidavit for MIP-928 and to waive the maintenance bond, as recommended by the Planning

Director. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

---

IN THE MATTER OF MIP-900: POTTER

Terry Jones presented a request for MIP-900: Ralph and Betsy Potter, based on a recent on-site inspection by the Planning Department the improvements for this project have been adequately maintained for the required one-year period and recommended that the maintenance bond in the amount of \$8,000 be released. Commissioner Clampitt moved to approve the release of the maintenance bond for MIP-900, as recommended by the Planning Director.

Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

---

IN THE MATTER OF THOROUGHBRED FARMS, SECITON 1

Terry Jones presented a request for Thoroughbred Farms, Section 1, based on an on-site inspection of this project the Planning Department found that the improvements have been adequately maintained for the required one (1) year period and recommended that the maintenance bond in the amount of \$6,500 be released. Commissioner Clampitt moved to release the maintenance bond for Thoroughbred Farms, Section 1, as recommended by the Planning Director. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

---

IN THE MATTER OF PLANNING

Terry Jones presented the Report of Collections for the Planning Department for the period of October 1, 2002, to October 31, 2002.

Terry Jones advised that the new County maps would be available in January or early February. Emory Lencke, Executive Director Hendricks County Convention and Visitors Bureau, stated the maps will be available at no cost.

---

IN THE MATTER OF AUDITOR

Auditor Nancy Marsh advised she had received a memo from Greg Guerrettaz relative to new legislation and his offer to assist the County. It was the consensus of the Commissioners that Ms. Marsh send an engagement letter to Mr. Guerrettaz for fees.

---

IN THE MATTER OF CITIZEN CONCERNS – STARKEY FARMS

Mike and Dave Starkey presented a letter and stated their concerns regarding the C. P. Morgan proposed PUD near

CR 700N and the impact on their farming operations.

---

IN THE MATTER OF MILEAGE

There was discussion of paying employees mileage for night meetings held in the Government Center that are required as part of their job. No action was taken.

---

IN THE MATTER OF TORT CLAMS

Receipt was acknowledged of three tort claims received from Attorney Scott Cleveland, for Richard Drollinger incident of August 6, 2002, for Michael Clark incident of August 25, 2002, Bradford Lindemann for incident of August 2002, and David Winkle for incident of August 9, 2002.

Commissioner Clampitt moved to recess the Commissioners' Meeting at 11:55 AM and to resume at 1:00 PM to present employee service awards.. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

---

IN THE MATTER OF TECHNOLOGY BOARD

The Technology Board opened the meeting at 12:10 PM with the following joining the meeting:

John Parsons, Systems Administrator

Doug Morris, Web Master

John Parsons advised, for information only, that they are monitoring the server.

John Parsons presented the contract with WTH Engineering for the Think Map, which has been reviewed and approved by the County Attorney. It was the consensus of the Commissioners to approve and execute this contract as presented and recommended by the County Attorney and Systems Administrator.

John Parsons presented a request from the Highway Department for software from GFC and stated they have the funds to purchase this software and if approved the software will be in place and working by the first of January 2003.

Commissioner Clampitt moved to approve the Highway request to purchase GFC software and to fund from the Highway budget, per their letter of November 20, 2002. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Clampitt moved to recess the Technology Board at 12:22 PM. Commissioner Palmer seconded the

motion and the motion was approved unanimously 3-0-0.

---

The Commissioners resumed at 1:05 PM in rooms 4-5 to present the following employee service awards:

5-YEARS (Small Plaque): Margaret Berry, County Home; James Bryan, Prosecutor; Kelly Bryant, Jail; Melinda

Burton, Jail; Maureen Buskirk, Extension Office; Kellene Deckard, Adult Probation; Cinda Foster, Auditor; Lori

Gaskill, Jail; Stephanie Gray, Child Support; Catherine Grindstaff, Environmental Health; Julie Haan, Environmental

Health; Paul T. Hardin, Council; Melinda Jones, Assessor; Judy Layman, Voter Registration; Richard Layman,

Highway; William Marsh, Sheriff; Paula Owens, Assessor; Melody Sears, Circuit Court Probation; Deborah Truran,

Clerk; William Wanner, Jail; and Jason Wright, Jail

10-YEARS (Small Blue Plaque): Charles Colbert, Weights and Measures; Steve Haltom, Engineering; Michael

Mason, Sheriff; Wilma McDaniel, Custodial; Steven L. Price, Highway; Les Rice, Planning; and Lori Vittetow,

Engineering

15-YEARS (Large Wood Plaque): Cathy Burkert, Highway; Madonna Carroll, Prosecutor; Wanda Cox, Auditor;

Maribeth Daugherty, Superior Court; Alvin Johnston, Auditor; Robert Miles, Sheriff; Tamera Richardson, Planning;

and Marthalou Thompson, Child Support

20-YEARS (Large Wood Plaque): Frank Harris, Sheriff; and Leanna Alverson, Engineering

25-YEARS (Clock): Michael Alverson, Planning; Janice Hardwick, Extension; Kevin Morgan, Highway;

Marilyn

Potter, Computer; and Danny Williams, Sheriff

35-YEARS (Clock with desk set): Susan Austin, Sheriff; and Russell Lawson, Highway

---

Steven L. Ostermeier, President

---

Linda Palmer, Vice President

---



John D. Clampitt, Member

ATTEST: \_\_\_\_\_

Judith Wyeth, Deputy Auditor

\*\*\*\*\*