

May 20, 2003

The Hendricks County Commissioners met in regular session at 10:05 AM on Tuesday, May 20, 2003 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:

Linda Palmer	)	
Steven L. Ostermeier	)	Hendricks County Board of Commissioners
Sonya R. Cleveland	)	
Gregory E. Steuerwald		Hendricks County Attorney
Nancy L. Marsh		Hendricks County Auditor
David Gaston		Hendricks County Surveyor
Russ Lawson		Hendricks County Highway Superintendent
Cathy Burkert		Hendricks County Highway
John Ayers		Hendricks County Engineer
Terry Jones		Hendricks County Planning Director
Judith Wyeth		Secretary to the Commissioners

---

IN THE MATTER OF MINUTES

Commissioner Cleveland moved to approve minutes for the meetings of May 7, February 25, March 4, March 11,

March 18, April 24, April 22, April 15 and April 8, 2003 as corrected. Commissioner Ostermeier seconded the

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

---

IN THE MATTER OF CLAIMS

Commissioner Ostermeier moved to approve claims #057501 thru 057775 as presented May 20, 2003.

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

---

IN THE MATTER OF RYAN SIMMONS

Receipt was acknowledged of a request from Ryan Simmons to be removed from the agenda, as the easement issue

has been resolved.

---

IN THE MATTER OF SIECO

Melvin Beeker, SIECO, introduced his engineering firm and presented a brochure of the services they offered.

Kate Sale, SIECO, explained that SIECO now does transportation studies and presented a handout of these services.

---

IN THE MATTER OF BELLEVILLE CONSERVANCY

Shannon McLeod, explained the Phase 1 closeout for the Belleville Conservancy grant and explained the proposed

construction grant for the conservancy. Curtiss White, Commonwealth Engineering, further explained the proposed

construction grant for Belleville Conservancy. Bob Powell, Belleville Conservancy, discussed the estimate for

services for the customers. Commissioner Cleveland moved to sponsor the construction grant for the Belleville

Conservancy through the Department of Commerce. Commissioner Ostermeier seconded the motion and the motion

was approved unanimously 3-0-0.

---

IN THE MATTER OF DRUG AND ALCOHOL TESTING SERVICES

Cathy Burkert introduced Joe Newson, Midwest Toxicology, and advised that the Highway Department had been

very pleased with their services since 1997. Mr. Newson explained the procedures and services available for drug and

alcohol testing, presented a handout with company profile, and a client reference list. Greg Steuerwald stated

Midwest Toxicology does an incredible job for the County..

---

IN THE MATTER OF HIGHWAY

Russ Lawson advised that the Highway Crew had been black topping, pulling stone shoulders and working on

removing storm trees that had jammed under the bridge on CR 200N.

---

## IN THE MATTER OF BOND – FURNITURE

John Ayers presented a request for furniture for the Surveyor and Engineer and requested to fund from the bond.

Mr. Ayers further advised that this furniture had been selected using the U.S. Commodities discount, which saved the

County a considerable amount of money. Commissioner Ostermeier moved to approve the \$4,200.77, furniture

request from the Surveyor and Engineer and forward to the bond trustees for consideration. Commissioner Cleveland

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

---

## IN THE MATTER OF PLANNING

Terry Jones informed the Commissioners of a special Plan Commission Meeting to be held on Thursday, May 22

for a zoning change to Planned Unit Development (PUD) for Wellington.

Terry Jones stated that the fee adjustment draft will be ready within two weeks.

Terry Jones advised that the funding for the contract for the subdivision ordinance was exhausted and requested to

expand the uses of the company for other changes in the Planning Department and to use funds within their budget for

these services. It was the consensus of the Commissioners for the Planning Director to bring back proposals on

requests and costs at the June 1 meeting.

---

## IN THE MATTER OF WASHINGTON TOWNSHIP FIRE DEPARTMENT

Terry Jones presented a letter of May 19, 2003, from Butterworth & Kruse Consulting

requesting a waiver of the

construction performance bonding requirements on behalf of Avon/Washington Township Fire Department for their

proposed fire station #3. Commissioner Ostermeier moved to waive the performance bond requirements for the

Washington Township Fire Department for station #3, as requested. Commissioner Cleveland seconded the motion

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

---

IN THE MATTER OF DENNIS AND DANA SHIRRELL

---

Terry Jones presented a letter from Dennis and Dana M. Shirrell requesting a waiver of filing fees stating that after

they received their building permit they received two separate phone messages from the Planning Department, almost

thirty days after their building permit was issued, citing changes in the zoning ordinance that was not noted and that

their building permit had been issued in error. Dana Shirrell advised that after receiving the building permit they

removed several trees, ordered lumber, removed the existing driveway, removed the existing garage wall, erected a

temporary wall, and have begun work on the foundation before receiving the phone calls advising that the permit

being issued in error and requiring them to now obtain a variance for this project. Ms. Shirrell stated that they were

incurring unnecessary expenditures for the variance fee, notice fee, copy fee and cost of sending 20 certified letters

with return receipts. Terry Jones acknowledged that issuing this permit was an error by the Planning and Building

Department and that the homeowners are now required to obtain a variance from the Board of Zoning Appeals for

this project. Commissioner Ostermeier moved to approve the request of Dennis and Dana Shirrell for a waiver of the

\$200.00 filing fee, \$50.00 notice fee, \$150 copy costs and \$88.40 postage fee to help resolve this situation and to send

a letter of support for this variance request to the Board of Zoning Appeals. Commissioner Cleveland seconded the

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

David Gaston stated that the Engineer, Planning Director and Surveyor need to discuss the errors and omissions

issue and the County insurance. Greg Steuerwald agreed that this needs to be a round table discussion.

---

#### IN THE MATTER OF WEED BOARD

Receipt was acknowledged of an inquiry from Virgil Webster on the status of the Weed Board. Commissioner

Ostermeier stated he that will check with Joyce McClain on the status of the Weed Board and respond to Mr.

Webster.

---

#### IN THE MATTER OF GUILFORD TOWNSHIP – HEALTH INSURANCE

Receipt was acknowledged of a telephone request from Mick Hickam, Guilford Township Trustee, for four

employees of the Guilford Township Trustee Office be included on the County health insurance. The request was

referred to Jon Yoho and Jerry Bowden.

---

#### IN THE MATTER OF TELEPHONE

Auditor Nancy Marsh stated that they had checked the TTD line in her office and was advised that this service

could go through SBC (Ameritech) and the County will not need to replace this line. It was the consensus of the

Commissioners to go with SBC and to not replace this line.

---

IN THE MATTER OF LEGISLATURE

Auditor Nancy Marsh advised that the bill she had presented to the legislature for a \$5 deed charge had been

passed. It was the consensus of the Commissioners that the Auditor and County Attorney work on an ordinance for

this charge.

---

Commissioner Ostermeier moved to recess the Commissioners; Meeting at 11:22 AM.  
Commissioner Cleveland

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

---

IN THE MATTER OF TECHNOLOGY BOARD

It was the consensus of the Commissioners to cancel the Technology Board for this date.

---

Linda Palmer, President

---

Steven L. Ostermeier, Vice  
President

---

Sonya R. Cleveland, Member

ATTEST: \_\_\_\_\_  
Judith Wyeth, Deputy Auditor

