

**HENDRICKS COUNTY COUNCIL REGULAR MEETING
AUGUST 20, 2024**

The regular meeting of the Hendricks County Council was called to order by President Eric Wathen on Tuesday August 20, 2024 with the following in attendance: Councilmen Caleb Brown, David Cox, Larry Hesson, Larry Scott, Eric Wathen, Brad Whicker, David Wyeth, Auditor Nancy Marsh, Financial Administrator Paula Alkire and Legal Counsel Rhonda Cook. Councilman David Cox led the assembly in the Pledge of Allegiance.

IN THE MATTER OF THE JULY 16, 2024 COUNCIL MEETING MINUTES

It was moved by Larry Scott and seconded by Caleb Brown to approve the minutes of the July 16, 2024 meeting as presented. Motion carried 7-0.

IN THE MATTER OF PUBLIC COMMENT

No public comment was heard.

**IN THE MATTER OF THE
AVON-WASHINGTON TOWNSHIP PUBLIC LIBRARY 2025 BUDGET**

Avon-Washington Township Public Library Director Laurel Setser presented their 2025 Budget for the advertised Public Hearing. Council President Eric Wathen opened the Public Hearing for public comment. Hearing no public comment, the Public Hearing was closed. Auditor Marsh stated the Avon-Washington Township Public Library 2025 Budget will be adopted at the Hendricks County Council's September 17, 2024 meeting.

**IN THE MATTER OF THE
AVON-WASHINGTON TOWNSHIP PUBLIC LIBRARY THREE YEAR GROWTH APPEAL**

Avon-Washington Township Public Library Director Laurel Setser presented Resolution 2024-32 for the Council's review and approval to petition the DLGF for an excess levy appeal. Ms. Setser stated the library successfully filed for an excess levy growth appeal for 2024, but the growth numbers supported a growth appeal for 2025. Ms. Setser stated they worked with their financial consultant, Baker Tilly and they calculated the impact of 25 cents per month on a \$250,000 assessed value.

It was moved by David Cox and seconded by Brad Whicker to approve Resolution 2024-32 to Petition for an Excess Levy Appeal for Avon-Washington Township Public Library. Motion carried 7-0.

**IN THE MATTER OF HENDRICKS COUNTY
LOCAL INCOME TAX REALLOCATION ANALYSIS**

Ordinance 2024-30 *Ordinance Modifying Local Income Tax Rates, Hendricks County, Indiana* was introduced to the Council. The Ordinance under consideration proposes the following:

- Reduce the Correctional Facility LIT by 5 basis point from .20 to .15
- Increase the Economic Development Income Tax by 5 basis points from .25 to .30

It was moved by Brad Whicker and seconded by David Wyeth to introduce Ordinance 2024-30 as presented. Motion carried 7-0.

IN THE MATTER OF HIGHWAY GARAGE BOND ORDINANCE 2024-31

Hendricks County Financial Consultant Greg Guerrettaz presented a document titled Early Payoff of General Obligation Bonds showing the Final Debt Service Schedule of the General Obligation Bonds, Series 2021 and the General Obligation Bonds, Series 2016. Councilman Cox asked for clarity on paying off a bond and escrowing the bonds. Auditor Marsh asked Bond Attorney Steuerwald if we could use the Correctional Facility LIT to pay off the 2016 Work Release GOB. It was the consensus that we should use the Correctional Facility LIT to pay off the 2016 GOB.

Mr. Guerrettaz presented a Highway Garage Financing document identifying the estimated debt service for the new General Obligation Bonds of 2024 with the principal amount of \$19,050,000, interest of \$8,170,833.33, over a 20 year term. Mr. Guerrettaz ask that one Council member, one Commissioner, Auditor and Financial Administrator be available and participate in the bond rating call when scheduled.

Councilman Larry Scott stated that by the time you added the 8,000,000 interest to the principal, the highway garage expense was well beyond the council's desired expenditure threshold for a highway garage and questioned the recommendation of a 20 year General Obligation Bond.

Councilman David Wyeth stated, referring to the Status of Funds Report, stated that with the cash balances currently available, why not use cash for all or a portion of the project.

Mr. Guerrettaz stated that Mr. Wyeth was not taking into consideration the interest earned on the cash balances. Looking in totality and understanding all funds are separate, you cannot use certain fund dollars because they are for dedicated purposes.

Auditor Marsh clarified the Status of Funds document referred to by Mr. Wyeth, only includes 11 funds, their fund balances and their surplus balances available.

Mr. Guerrettaz stated interested would be saved by paying off the existing 2016 General Obligation Bond. Mr. Guerrettaz stated he recommends the optimal capital structure of 60/40, and this will be our only General Obligation Bond after paying the two existing General Obligation Bonds.

Brad Whicker stated the proposed General Obligation Bond provides flexibility and a certain of leverage. Mr. Guerrettaz stated there are several off-ramps, interest earned, and flexibility to address the rest of the capital improvements, particularly finishing Ronald Reagan

Parkway. Councilman David Wyeth, noting the cash we have on hand, asked about the potential to pay off the new General Obligation Bond early. Debt tax rate component of total rate will be reduced.

Bond Attorney Adam Steuerwald explained Ordinance 2024-31 *An Ordinance of the Hendricks County Council Authorizing the Issuance of General Obligation Bonds for the Purpose of Providing Funds to Design, Construct and Equip a New County Highway Garage and to Pay the Costs of Issuance of the Bonds.*

Attorney Steuerwald Adam Steuerwald stated the pay-off of the two existing General Obligation Bonds are separate action from Ordinance 2024-31. Mr. Steuerwald stated you could lower the bond amount or do in in multiple segments, but you would have cost of issuance for each bond.

Mr. Guerrettaz stated he was concerned about the maximum levy growth quotient being lowered by the legislature in the current property tax climate. Mr. Guerrettaz stated interest rates are reasonable for tax exempt borrowing and he was trying to manage the debt equity and keep it low.

Mr. Guerrettaz stated that going through the Capital Improvement planned projects, taking this amount of cash would be too much and would set back other projects. Mr. Guerrettaz stated the will be additional needs to use the flexibility of the cash. Mr. Whicker stated the new General Obligation Bond was the right thing to do and use our cash for smaller projects.

Commissioner Dennis Dawes stated a smaller group have been talking about longer range planning and there is currently a space study being conducted looking at the needs that we are going to have in the future. Mr. Dawes stated there is an opportunity coming down the road, maybe soon, and the County may have a need for a considerable amount of capital to do things that are beneficial to the county.

Bond Attorney Adam Steuerwald stated he fully agrees with everything said. Benefit/administration of one larger bond is less expensive and cumbersome than multiple bonds. On the legal side you need all of the cash before you enter in a contract for construction, so it is difficult to piece meal the project.

Mr. Steuerwald provided a Preliminary Determination Public Hearing schedule with the following 11 requirements:

1. The percent of the County's current and projected debt service payments divided by the net assessed value of the taxable property within the County (the "Net Assessed Value") is approximately 0.27%
2. The percent of the County's outstanding long term debt coupled with the outstanding long term debt of other taxing units located within the County divided by the Net Assessed Value is approximately 10.7%.

3. Maximum term of the bonds: 20 years
4. Maximum principal amount of bonds: \$19,052,000
5. Estimated Interest Rate on the bonds: 4.0%
6. Estimated Total Interest Cost for the bonds: \$8,170,833
7. Description of the project to be financed with bond proceeds: design, construction, and equipping of a new County Highway Garage and related improvements
8. The following statement must be provided: If the County Council adopts a resolution making a preliminary determination following the second public hearing on September 17, a notice of that determination would be published, and property owners or registered voters would have 30 days following the publication to file a petition requesting the application of the petition remonstrance process for the proposed bonds.
9. The County's current debt service levy is \$3,150,271 and the current debt service rate which is \$0.0224 cents per \$100 of assessed value.
10. The estimated increase if the bonds are issued to the debt service levy is \$1,617,200 and the tax rate is \$0.0115 cents per \$100 of assessed valuation.
11. The following is the estimated increase to the County's debt service levy and rate that will result during the following ten (10) years if the County issues the bonds, after also considering any changes that will occur to the debt service levy and rate during that period on account of any outstanding bonds or lease obligations that will mature or terminate during that period.

Year	2016 GOB	2021 GOB	Fairgrounds Bonds	Proposed Bonds	Total Debt Service	Total Debt Tax Rate
2024	\$515,376	\$1,460,200	\$1,391,000		\$3,366,576	.0224
2025	Paid Off	Paid Off	\$1,390,670	\$1,417,433	\$2,808,103	.0184
2026	Paid Off		\$1,385,363	\$1,441,800	\$2,827,163	.0186
2027				\$1,453,000	\$2,842,673	.0187
2028				\$1,452,800	\$1,452,800	.0103
2029				\$1,471,000	\$1,471,000	.0105
2030				\$1,477,400	\$1,477,400	.0105
2031				\$1,482,200	\$1,482,200	.0105
2032				\$1,485,400	\$1,485,400	.0106
2033				\$1,497,000	\$1,497,000	.0106
2034				\$1,506,400	\$1,506,400	.0107

Councilman Larry Hesson thanked Mr. Steuerwald and Mr. Guerrettaz for the information presented.

IN THE MATTER OF WORK RELEASE

Work Release Director Bridgette Collins-George, in coordination with John Gramling, IT, presented a request for Security System Upgrades to the new modular space. Auditor Nancy Marsh stated it was too late to advertise as an additional appropriation for this meeting but would be on the September additional appropriations advertisement to be funded by the Correctional Facilities Local Income Tax. It was the consensus of the Council to move forward with the request to be approved in September.

IN THE MATTER OF THE HENDRICKS COUNTY COUNCIL REVIEW AND RECOMMENDATION OF HENDRICKS COUNTY UNIT CIRCUIT BREAKERS AND TAX LEVIES

President Eric Wathen explained the Circuit Breaker credits to the taxpayers because of the CAP 1, CAP 2 and CAP 3 which are a loss to the units of government. The property tax levy limits and estimated circuit breakers for each taxing unit of Hendricks County government were presented by Auditor Nancy Marsh. It was unanimous consensus of the Council to acknowledge, review, and accept the levy limits and estimated circuit breakers as presented with no recommendations to the other taxing units.

IN THE MATTER OF THE EMERGENCY ADDITIONAL APPROPRIATIONS

The public hearing was opened for the Emergency Appropriation Resolution of August 20, 2024. Hearing no public comment, the public hearing was closed by President Eric Wathen.

It was moved by Larry Scott and seconded by David Cox to approve emergency additional appropriations numbers 1 through 8 as presented. Motion carried 7-0.

EMERGENCY ADDITIONAL APPROPRIATION RESOLUTION

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.	Coroner	1001.33800.000.0107	Autopsy & Lab	\$110,000.00	\$110,000.00
2.	Prosecutor	1001.10804.000.0108	Personal Services	\$6,694.00	\$6,694.00
3.	Prosecutor	1001.10833.000.0108	Personal Services	\$5,987.74	\$5,987.74
4.	Westpoint TIF	4402.34803.000.0102	Refunded 2024 Interest	\$30,433.83	\$30,433.83

5.	Prosecutor/VOCA	8100.10804.000.0108	Personal Services	\$148,176.00	\$148,176.00
6.	Prosecutor/VOCA	8100.10833.000.0108	Personal Services	\$105,666.40	\$105,666.40
7.	Prosecutor/VOCA	8100.10856.000.0108	Personal Services	\$79,249.80	\$79,249.80
8	Local Road & Bridge Match	9124.36610.000.0201	Other Services & Charges	\$1,458,166.00	\$1,458,166.00

Dated this 20th day of August, 2024.

AYE

NAY

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

ATTEST: /s/ Nancy L. Marsh, Auditor

IN THE MATTER OF THE REALLOCATION OF FUNDS

It was moved by Larry Scott and seconded by David Wyeth to approve the Reallocation of Funds number 1 – 5 as presented. Motion carried 7-0.

REALLOCATION OF FUNDS RESOLUTION

Be it resolved by the County Council of Hendricks County, Indiana, that for the expenses of the unit of Government of Hendricks County, the following sums of money previously appropriated for expenditures from a detailed account within a major classification, are hereby reallocated to another detailed account within a different classification as originally appropriated, all as herein specified.

	DEPARTMENT	FROM	TO	AMOUNT	Y/N
1.	Reassessment	1224.18909.130.0109	1224.18909.129.0109	\$2,115.00	Y
2.	ARPA/Healthy Families	8950.30005.000.0214	8950.18702.000.0214	\$34,907.19	Y
3.	ARPA/Healthy Families	8950.30005.000.0214	8950.18703.000.0214	\$47,337.73	Y
4.	ARPA/Healthy Families	8950.30005.000.0214	8950.18705.000.0214	\$30,614.00	Y
5.	Work Release Grant	9138.15419.000.0154	9138.15499.000.0154	\$31,694.89	Y

Dated this 20th day of August, 2024.

AYE

NAY

/s/ Caleb Brown
/s/ David Cox
/s/ Larry R. Hesson

/s/ Larry R. Scott
/s/ Eric Wathen
/s/ Brad Whicker
/s/ David Wyeth

ATTEST: /s/ Nancy L. Marsh, Auditor

IN THE MATTER OF THE STATUS OF FUNDS

President Wathen acknowledged the Status of Funds Report had been distributed to Council members. Auditor Nancy Marsh stated the July Food & Beverage, received in August, reflect the start of the State Fiscal Year and the 50/50 share of the revenue is in place until the collective participating counties reach the \$5,000,000 collection threshold.

OTHER BUSINESS

Councilman Larry Hesson stated he had placed a handout at each Councilman's seat that was Proposal #1 from the Indiana Prosecuting Attorneys Council for Partial State Funding of DPA Compensation so long as the DPA is paid a minimum salary of 55% of the Elected's salary (\$183,513 * 55% = \$100,932) the State would reimburse the county for half of that minimum salary. Councilman Hesson wanted to make sure the Council had seen this information. Mr. Hesson left the meeting at 9:55 a.m.

Auditor Nancy Marsh informed the Council that a 2025 budget request from Facilities was inadvertently missed in the Council Workshop documents. Auditor Marsh asked the pleasure of the Council in adding it to the 2025 advertised budget. Facilities Director Jack Swalley confirmed he had put a Highway garage storage facility in the 2025 budget. It was moved by Caleb Brown and seconded by Larry Scott to approve the Facilities 2025 account 41137 Highway Storage Facility to the 2025 advertised budget in the amount of \$643,140.00. Motion carried 6-0 (LH).

Council President Eric Wathen stated he had received an inquiry on why the Department Head wages were not considered for an additional increase over the county granted percentage. Auditor Marsh stated the subject had been discussed early in the process but had not been made clear in the Auditor's instructions. It was moved by Eric Wathen and seconded by Caleb Brown to allow those with governing authority over the department heads to be eligible for additional wage adjustment based on performance. Motion carried 6-0 (LH).

Auditor Nancy Marsh stated she would contact the Commissioners about their department heads and the governing authority over the Parks & Recreation, Planning and Building, Courts, Work release and Health Department Heads.

Council President Eric Wathen asked about the County's responsibility in collecting the other units' Economic Development Plans. County Attorney Rhonda Cook stated it would be under the Commissioners authority. Ms. Cook stated she would do additional research on who is responsible to collect Economic Development Plans from other Taxing Units. Auditor Marsh

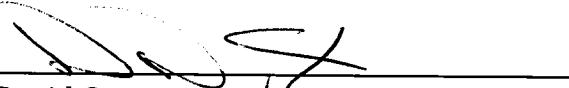
stated that she nor Cinda Kattau, former Auditor have not received these documents since 2001.

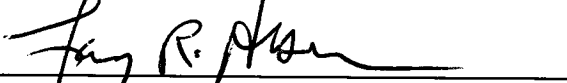
Auditor Marsh stated the State Board of Accounts Exit Conference is tentatively planned for September 10, 2024.

There being no further business to come before the Council, upon motion made by Brad Whicker and seconded by Caleb Brown, the meeting was adjourned at 10:17 a.m., Tuesday, August 20, 2024. Motion carried 6-0. (LH)

HENDRICKS COUNTY COUNCIL

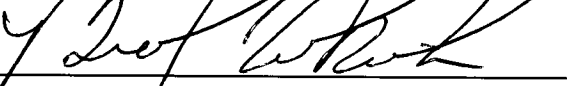

Caleb Brown

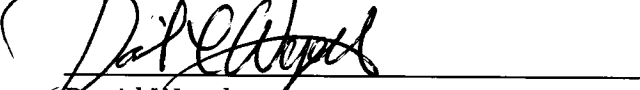

David Cox


Larry R. Hesson



Larry R. Scott


Eric Wathen


Brad Whicker


David Wyeth

ATTEST:


Nancy L. Marsh