

January 13, 2004

The Hendricks County Board of Commissioners met in regular session at 9:40 AM on Tuesday, January 13, 2004, 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-Ryser)	
Steven L. Ostermeier)	Hendricks County Board of Commissioners
Sonya R. Cleveland)	
Gregory E. Steuerwald	Hendricks County Attorney
Nancy L. Marsh	Hendricks County Auditor
Jim Quearry	Hendricks County Sheriff
Russ Lawson	Hendricks County Highway Superintendent
John Ayers	Hendricks County Engineer
Terry Jones	Hendricks County Planning Director
Todd Barker	Hendricks County Planner
Judith Wyeth	Secretary to the Commissioners

IN THE MATTER OF MINUTES

Commissioner Cleveland moved to approve minutes of meeting of October 6 and October 14, 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 #118277 thru 118527, #062369 thru 062618 and direct deposit #006555 and 006765 as presented January 13, 2004. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ZA300-WA03-05/LN03-02: PLATINUM PROPERTIES – WYNNE FARMS

Terry Jones presented ZA-300/WA03-05/LN03-02: Platinum Properties, to change 524.00 acres located along the east side of CR 800E from CR 300N and south 1.50 miles and along the west side of CR 800E, approximately 0.50

miles south CR 300N, in Lincoln and Washington Townships from RA: Single Family (15,000) Residential District to PUD: Planned Unit Development District. Mr. Jones advised that the Plan Commission held a public hearing for this zoning request on December 8, 2003, and sends this request with a favorable recommendation with stipulations by a vote of 6-0-0.

Commissioner Palmer-Ryser asked for public comment.

Lee Comer, attorney, introduced Paul Rioux, developer Doug Elmore, engineer, and Mike Sells, Benchmark Consulting, as individuals working on this project and advised they have met with the Brownsburg and Avon Plan Commissions and both approve this project with conditions.

Paul Rioux explained the proposed plan and commitments with roads and commercial development. Mr. Rioux stated there will be 1,307 home sites, several apartments and town houses and a commercial area of 450,000.

Doug Elmore explained the architectural commitments for this project.

There was discussion of Northfield Boulevard, telephone poles, separation between homes, assurance that the commercial area would be developed, the park area and road stipulations.

Sheriff Jim Quearry expressed concerns for timely runs with the Sheriff Department, which is under staffed due to explosive growth and requested impact fees from the developer to pay for services rather than the citizens.

Jodie Robards, 7705E CR 300N, stated commitments were made at the Plan Commission for her horses on adjoining land and requested these commitments be incorporated with all commitments in the Plan Commission minutes and the County records. Ms. Robards further stated that she opposed the apartments and expressed concerns on growth and roads as she is a school bus driver in this area.

Rick Bolt expressed concerns of definitions for many of the commitments and requested answers.

Charles Patterson, developer, requested to take the widening from property on the east side since it is farmland and would have no effect on yards, drives and landscapes of the existing property owners.

Bill Sibbing, Brownsburg Area Patrons, expressed concerns for the park being maintained by Brownsburg, the fiscal report questions and requested documentation update and sidewalks.

Bill Guarnery, Brownsburg Town Council, requested that the streets be to Brownsburg standards and not the County standards as Brownsburg has more stringent road requirements and stated they will not annex anything that is not to Brownsburg standards. Mr. Guarnary also requested a fiscal study update and the need to look at burying telephone lines to eliminate telephone poles.

County Engineer John Ayers explained the County road standards are equivalent to Brownsburg road standards.

Terry Jones presented the Findings of Fact from the Plan Commission for this zoning request.

Pat Wynne, owner, explained that this was a good development that combined residential and commercial.

Bruce Williams, 10426 E CR 200N, advised that lots of thought went into this project and is a good plan for this parcel and this area.

Mike Sells, Benchmark Consulting, explained that some of the issues of concern will be resolved when this development comes in for additional hearings and staff meetings.

Paul Rioux, developer, stated they are required to bring back a master plan for all utilities.

Lee Comer, attorney, stipulated that poles along Dan Jones Road will be addressed with the master utility plan that will be brought to the Commissioners.

The Commissioners asked if all issues of the towns had been addressed.

Bill Guarnery, said yes, for Brownsburg concerns.

Bill Peoples, Avon Planner, said Avon concerns yes, but will not speak for outside Washington Township.

Lee Comer, stated the private roads in the apartment complex and frontage road are less than specified and will be brought to standards acceptable by Brownsburg.

Commissioner Ostermeier moved to approve the PUD rezoning for Platinum Properties, subject to the twenty feet separation between homes no matter what conditions, subject to Mr. Rioux bringing back a utility plan for the Commissioners review; subject to Mr. Rioux and Mr. Ayers working out an acceptable road maintenance program and that the streets in this subdivision be built to the most stringent requirements; that the structure for a Homeowners Association be incorporated; and based that we have addressed all concerns for both Brownsburg and Avon and that Mrs. Robard’s concerns relative to horses have been incorporated, as Ordinance No. 2004-01. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

It was the consensus of the Commissioners to take a brief recess at 1:30 PM due to a 1:30 PM exit meeting with the State Board of Accounts.. The Meeting reconvened at 2:15 PM.

IN THE MATTER OF EMPLOYEE HEALTH INSURANCE – TOURISM BOARD

Emory Lencke, Executive Director Hendricks County Convention and Visitors Bureau, presented an audit letter for 2002 from the State Board of Accounts, a letter to Council from Kent McPhail, a letter from the four Chambers in the County, and requested a committee be formed to look at funding for health insurance. Mr. Lencke advised the Tourism Board was a part of the County employee health insurance by an interlocal agreement in June 2000 and they had paid their portion of insurance premiums, however, they will look at other providers. Mr. Lencke requested a spirit of communication between all government agencies.

Emory Lencke advised there is a pending House Bill relative to Innkeepers tax.

IN THE MATTER OF COUNTY ATTORNEY

It was the consensus of the Commissioners to remove the contract with the County Attorney from the agenda.

IN THE MATTER OF CELL PHONES

Receipt was acknowledged of a request from Judge David Coleman, Superior 2, for a cell phone for Gary Charles, Computer Administrator at the Court House. Commissioner Cleveland moved to approve a cell phone for Gary Charles, as requested by Judge Coleman. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF AMATEUR RADIO

Receipt was acknowledged of a letter of January 6, 2004, from David H. Leimerstoll, HCARS President, expressing appreciation for use of the Government Center by the Hendricks County Amateur Radio Society during 2003 and requesting to again use the facilities in 2004, on the second Monday of every month, except December, from 7-9 PM. Commissioner Cleveland moved to approve use of a room in the Government Center in 2004 for the Amateur Radio, as requested. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COPIER - COURT COMMISSIONER

Receipt was acknowledged of request for a copier for the office of the new Court Commissioner. It was the consensus of the Commissioners to call Donn Salladay, CopyCo, for quotes on a Canon copier for the new office of the Court Commissioner.

IN THE MATTER OF ROAD SCHOOL

John Ayers stated Road School will be held March 10-11 at Purdue University and requested names of those planning to attend.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers advised that Indianapolis Power and Light had placed utility poles along the Ronald Reagan Parkway and that he will meet with them to resolve this issue.

IN THE MATTER OF CR 200N AND SR 267 SIGNAL LIGHT

John Ayers reported that he had checked with the State and been advised that they had removed the temporary signal light at CR 200N and SR 267 in order to cut the loop and that the signal would soon be permanently installed.

IN THE MATTER OF JAIL - FILTER

John Ayers advised they are working to locate water lines to eliminate problems created by the jail for the filter at the lift station at the Danville Fire Station on Shady Lane.

IN THE MATTER OF ANIMAL CONTROL

John Ayers reported that the proposed animal control site is being reviewed and will be referred to the architect.

John Ayers presented a draft letter to the Hendricks County Human Society Board addressing the proposed changes for the Animal Shelter and their offer of a donation of up to \$30,000. It was the consensus of the Commissioners to wait to send this letter until after Commissioner Ostermeier has met with members of the Humane Society later this week.

IN THE MATTER OF COUNTY RENTAL PROPERTY

Auditor Nancy Marsh advised that the State Board of Accounts had stated that funds from County rental properties must be kept in the general fund. It was the consensus of the Commissioners that funds generated from rental property are in the general fund and to cap the funds maintained in the management account at \$ 2,000 for use by the Property Manager for immediate repairs when necessary.

IN THE MATTER OF EMPLOYEE HEALTH INSURANCE

John Ayers and Terry Jones presented signed petitions from employees in Engineering and Planning Department

relative to employee health insurance. The Commissioners requested that the department heads advise their employees that the Commissioners were looking at several options to maintain the same quality insurance for employees at a prudent cost to taxpayers.

IN THE MATTER OF STATE BOARD OF ACCOUNTS AUDIT

Commissioner Palmer-Ryser reported on the exit audit with the State Board of Accounts and complimented Terry Jones on the procedures for handling funds received for permits in the Planning Department.

IN THE MATTER OF MAP-6AA: SUN CHASE MEADOWS, SECTION 2

Terry Jones presented the Contractor’s Completion Affidavit for Sun Chase Meadows, Section 2 and requested a maintenance bond in the amount of \$53,900. Commissioner Ostermeier moved to accept and execute the Contractor’s Completion Affidavit for Sun Chase Meadows, Section 2, and to require a maintenance bond of \$53,900, as recommended by the Planning Director. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PLANNING

Terry Jones stated there will be a public hearing in February for the overlay district for Gordon Graham Field.

Terry Jones reported of the special Plan Commission meeting tonight for rezoning of property located on CR 100S and 900E, Wellington, and stated he will recommend this be continued to the February 10 meeting.

Terry Jones advised of the Ronald Reagan Parkway Task Force Meeting on January 15 at 7:00 PM in the Government Center.

Terry Jones stated there will be a Plan Commission Workshop in Tuesday, January 27 in the Government Center.

Auditor Nancy Marsh performed the swearing in ceremony for Commissioner Cleveland to serve as the Commissioners’ appointed representative on the Hendricks County Area Plan Commission.

Terry Jones stated that tonight he will announce his resignation as Hendricks County Planning Director at the Plan Commission Meeting, to be effective January 30, 2004. The Commissioners each expressed their appreciation and thanks to Mr. Jones for his accomplishments in the Planning Department.

Commissioner Cleveland moved to recess the Commissioners’ Meeting at 3:37 PM. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

Linda Palmer-Ryser, President

Steven L. Ostermeier, Vice President

Sonya R. Cleveland, Member

ATTEST: Judith Wyeth, Deputy Auditor



