

January 20, 2004

The Hendricks County Board of Commissioners met in regular session at 9:45 AM on Tuesday, January 20, 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
David Gaston	Hendricks County Surveyor
Russ Lawson	Hendricks County Highway Superintendent
John Ayers	Hendricks County Engineer
Terry Jones	Hendricks County Planning Director
Jerry Bowden	Hendricks County Human Resources Director
Gary Emsweller	Hendricks County 4-H Educator
Paula Dummel	Hendricks County Jail Matron
Judith Wyeth	Secretary to the Commissioners

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IN THE MATTER OF MINUTES

Commissioner Cleveland moved to approve the minutes for the meetings of October 28, November 10 and December 1, 2003, as corrected. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF AGENDA

It was the consensus of the Commissioners to move the Sheriff Department to the first item on the Agenda for a presentation by a consultant on their phone system.

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IN THE MATTER OF TELEPHONE – SHERIFF

Paula Dummel explained the current phone problems at the Sheriff Department and introduced Paul Johnson, Paul Johnson Associates. Mr. Johnson explained options to resolve the phone problems and recommended a separate stand alone voice mail at the jail for security and confidentiality. John Ayers explained the need to upgrade this system for future County growth east of town. Commissioner Ostermeier made a motion to advertise for \$26,000 from cum cap funds for this phone system. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF E-911

John Ayers explained the phone system for E-911 could be modified with new software for \$900 with a new contract rather than the original quote of \$4900. It was consensus to pursue this software.

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IN THE MATTER OF VEHICLES

Commissioner Ostermeier requested a regular report from the Sheriff Department on vehicles requested prior to being purchased.

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IN THE MATTER OF FAIRGROUNDS

John Ayers gave an update on the proposed new fairgrounds stating that the survey has been completed and they are now working on a site, are proceeding with design, waiting on the two appraisals of the parcel and advised they will have meetings with Mussett, Nichols and Associates, Inc. and with DLZ and are still on schedule to be ready for the 2005 fair. Mr. Ayers stated they will need to hold a Wage Determination hearing before the end of February and that a new member of this committee needs to be appointed to replace Don Good as he has submitted his resignation

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due to poor health. It was the consensus of the Commissioners to bring back names for consideration as an appointment to the Wage Committee. Steve Patterson, Fair Board President, requested approval for one or two members of the Fair Board to attend meetings with the architect and staff. Mr. Patterson also advised that several organizations are inquiring on completion date to plan future events at the new fairgrounds.

IN THE MATTER OF GOVERNMENT CENTER AND COURTHOUSE

Receipt was acknowledged of a request from the Election Board to use Room 3 in the Government Center and a room in the Courthouse for the primary and general elections this year. Commissioner Ostermeier moved to make the Courthouse and Government Center available for the election and to execute the forms. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TAZ04-01 AMENDMENT TO HENDRICKS COUNTY ZONING ORDINANCE –  
BY AMENDING SECTIONS 10.06A, 14.05A, 15.05A, 16.05A, 18.05A, 20.05A, 22.05A AND 24.05A

Terry Jones presented TAZ04-01 a text zoning amendment to remove minimum distance between principal buildings from stated sections of the Zoning Ordinance. Mr. Jones stated the Plan Commission held a public hearing on January 13 and sends this amendment with a favorable recommendation of 6-0-0 to repeal these sections. Commissioner Palmer-Ryser asked for public comment. There was no public input. Commissioner Ostermeier moved to approve TAZ04-01, as Ordinance 2004-02, as recommended by the Plan Commission. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TSA 04-01: AN AMENDMENT TO THE SUBDIVISION CONTROL ORDINANCE  
BY AMENDING SECTION 4.09 LOT IMPROVEMENTS

Terry Jones presented TSA04-01: an amendment to the Subdivision Control Ordinance by amending Section 4.09: Lot Improvements. Mr. Jones stated the Plan Commission held a public hearing on January 13 and sends this text amendment with a favorable recommendation of 6-0-0 to add a minimum distance between principal buildings and recommended this amendment have an effective date of any plat approved from this date forward. Commissioner Palmer-Ryser asked if there was any public comment. There was no public input. Commissioner Cleveland moved to approve TSA04-01, as Ordinance 2004-03, effective with the 2001 ordinance, as recommended by the Plan Commission. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TZA03-04: CHAPTER 60 SIGNS

Terry Jones presented TZA03-04: an amendment to the Hendricks County Zoning Ordinance by Amending Chapter 60 Signs, Section 60.04 H. 4. Exempt Signs. Mr. Jones advised a public hearing was held by the Plan Commission on January 13 and comes with a favorable recommendation of 6-0-0. Commissioner Ostermeier moved to approve TZA03-04, as Ordinance 2004-04, for exempt signs as recommended by the Plan Commission. Commissioner Cleveland seconded the motion and the motion was approved 2-1-0 with Commissioner Ostermeier and Palmer-Ryser voting aye and Commissioner Cleveland voting nay.

IN THE MATTER OF TZA 03-05:  
CHAPTER 60 SECTION 60.05 PROHIBITED SIGNS

Terry Jones presented TZA03-05: an amendment to the Hendricks County Zoning Ordinance by Amending

Chapter 60 Signs, Section 60.05: Prohibited Signs. Mr. Jones advised a public hearing was held by the Plan Commission on January 13 and sends this amendment with a favorable recommendation of 6-0-0. Commissioner Cleveland moved to approve amendment TZA03-05, as Ordinance 2004-05, as recommended by the Plan Commission. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF SCOUT RECOGNITION

It was the consensus of the Commissioners to continue the scout recognition until information was received for the proclamations.

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IN THE MATTER OF E-911 AGREEMENT

Greg Steuerwald advised he had reviewed the agreement with SBC for E-911 service and questioned the 70% penalty if this ten year agreement was cancelled before the ten years was completed. Craig Bennett, SBC, explained the plan. Mr. Steuerwald requested a letter from SBC to clarify the amount. Mr. Bennett called SBC to have a fax sent confirming the numbers. This will be presented for consideration when it is received.

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IN THE MATTER OF HUMAN RESOURCES

Jerry Bowden advised that in accordance with previous approval to conduct employee blood draws quarterly the next drive would be held on Thursday, January 29.

Jerry Bowden inquired if each Commissioner needed a copy of all applications for the County Administrator position. It was the consensus of the Commissioners that a copy of each application be provided to each Commissioner.

Jerry Bowden requested to attend a HIPPA conference by Nyhart at a cost of \$99. Commissioner Ostermeier moved to approve payment for Jerry Bowden to attend the HIPPA conference and to fund from the Commissioners' budget. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF HIGHWAY

Russ Lawson advised they are working on ditches, trimming trees and have almost completed the bridge on CR 100N.

Commissioner Cleveland referred a request from Mr. Garland relative to the Glen Allen area. Mr. Lawson agreed to check this matter.

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IN THE MATTER OF HOSPITAL ROAD

John Ayers advised that the Hospital Road is now open and that Danville has requested a ribbon cutting ceremony in the spring and for this road be given a name. It was the consensus of the Commissioners to name this road the Bud Carson Boulevard.

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IN THE MATTER OF BOND

John Ayers presented an affidavit for WTH Technology, Inc. for Think Map Support – GIS, in the amount of \$1,750 and reported that this was previously approved for funding from the bond. It was the consensus of the Commissioners to forward this affidavit to the bond bank for consideration.

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IN THE MATTER OF RONALD REAGAN PARKWAY – BOONE COUNTY

There was discussion to hold a joint meeting with the Boone County Commissioners to discuss the Ronald Reagan

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Parkway. It was the consensus of the Commissioners that John Ayers call and set up this meeting.

Terry Jones advised that the next meeting of the Ronald Reagan Parkway Task Force set for January 29 and has now been moved to February 4.

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IN THE MATTER OF PLANNING

Terry Jones advised there will be a Planning Workshop all day on January 27 beginning at 9:00 AM in the Government Center.

Terry Jones presented the December collections for Planning.

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IN THE MATTER OF SOIL AND WATER

Henry Wallis reminded everyone of the Soil and Water 52<sup>nd</sup> Annual Meeting tonight at the Community Building with dinner at 6:30 PM. Mr. Wallis stated the program would be a slide presentation by Jeff Kingdom of his bike ride across the Lewis and Clark Trail.

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IN THE MATTER OF TELEPHONE - E 911

Greg Steuerwald advised he had reviewed the SBC E-911 telephone contract with the letter confirming the numbers. Commissioner Ostermeier moved to approve the contract with SBC for E-911 and to execute the letter of January 20, as approved by the County Attorney, and to look at the interest rate. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF VOTER REGISTRATION – MICRO VOTE CONTRACT

Greg Steuerwald advised he had reviewed the micro vote contract for Voter Registration and approved the agreement. Commissioner Cleveland moved to allow the President to execute the Micro Vote contract. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF PLAINFIELD – MEMORANDUM OF UNDERSTANDING - UNITED

Receipt was acknowledged of the Memorandum of Understanding from Plainfield for United Airlines relative to the Economic Development Income Tax Refunding Revenue Bonds Series 1998A to refund the County’s Economic Development Income Tax Revenue Bonds, Series 1992A stating that under the terms of the Interlocal, the Town is responsible for paying a portion of the debt service on the Bonds from their distributive shares of EDIT through January 1, 2007, the final maturity of the Bonds. As an accommodation to the County to refund the Bonds, the Town agrees to continue to pay its respective share of debt service as scheduled through January 1, 2007. Commissioner Ostermeier moved to execute the Memorandum of Understanding, subject to approval of the County Attorney. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF VILLA WOODS a/ka ENCLAVE AT AVON VILLAGE

Terry Jones presented a letter of January 20 stating that the on-site inspection of Villa Woods of Avon, aka Enclave at Avon Village, found the improvements have been adequately maintained for the required three-year period and requested release of the maintenance bond in the amount of \$73,850 and to return all inspection fees. Mr. Jones also advised that this development is subject to a Legal Drain assessment. Commissioner Ostermeier moved to approve the release the maintenance bond of \$73,850 for Villa Woods of Avon aka the Enclave of Avon Village and

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to return all inspection fees, as recommended by the Planning Director. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0

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N THE MATTER OF COVERED BRIDGES

Auditor Nancy Marsh presented a form requesting the number of covered bridges in Hendricks County. Commissioner Ostermeier moved to execute the documentation that there were no covered bridges in Hendricks County. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF SALARY ORDINANCE

Auditor Nancy Marsh presented the amended 2004 Salary Ordinance. Commissioner Ostermeier moved to allow the President to execute the Salary Ordinance as presented. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF COURT COMMISSIONER - EQUIPMENT

Receipt was acknowledged of a request for a copier and fax for the office of the new Court Commissioner. It was the consensus of the Commissioners to check prices for a copier with fax and a stand alone fax unit and to report back.

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IN THE MATTER OF SURVEYOR

Surveyor David Gaston requested another four-wheel drive vehicle for the Surveyor’s Office. It was the consensus of the Commissioners that the Sheriff check and provide a plan for other County vehicles. Surveyor David Gaston reported on Phase 2 and stated this will require additional office space in the future.

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IN THE MATTER OF THOROUGHBRED FARMS

There was discussion of the roads in Thoroughbred Farms. Commissioner Ostermeier moved to extend the time for Thoroughbred Farms to complete work to June 1, 2024. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF COUNTY HOME

Greg Steuerwald advised that he and Rich Jensen had met with James relative to rental of rooms at the County Home.

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Commissioner Cleveland moved to recess the Commissioners’ Meeting at 11:45 AM. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF TECHNOLOGY BOARD

The Technology Board met at 11:55 AM with the following joining the meeting:

John Parsons, Systems Administrator                      Doug Morris, Web Master

John Parsons explained that the 2003 server will not work with Windows 98 and the old PC units that need to be replaced. It was the consensus of the Commissioners to get a quote for units and bring back at the next meeting.

John Parsons advised that Gail Brown, Deputy Assessor, had requested the PC units be replaced in the Assessors’ Office. Doug Morris stated he has been working with the PC units and they are the oldest units in the Government Center. There was discussion of purchasing these units from Reassessment funds, however, they need a letter from Gail Brown for this request.

John Parsons advised the Jail had requested four replacement units for the Sheriff Department. It was the consensus of the Technology Board to purchase the equipment.

Doug Morris advised there would be a domain change over January 31 and that everybody will be down that day. There was discussion that Gary Charles was out of the office from December 20 through January 6 and that he was not here for orientation. John Parsons further advised that Lana Pedigo stayed through the end of the year and did all of the year end reports. It was the consensus of the Commissioners that Gary Charles and a Judge, or a representative from the Courts, attend the next meeting to discuss these issues.

John Parsons advised that an electrical pole with our wires by Hardee’s was hit and that we will have to pay \$77 to CINERGY to replace. It was the consensus of the Commissioners to check the police report of this accident.

Receipt was acknowledged of the January 13, 2004, letter from Judge Karen Love requesting a delay of the installation of “Court Max on the Inside’ until the judges obtain the necessary approval from the State Court Administration. It was the consensus of the Commissions to invite Gary Charles to respond to this request at the February 3 meeting.

Commissioner Cleveland moved to recess the Technology Board at 12:15 PM. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

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Linda Palmer-Ryser, President

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Sonya R. Cleveland, Vice President

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Steven L. Ostermeier, Member

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

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