



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE OCTOBER 8, 2024 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, October 8, 2024 in the Commissioners' Meeting Room located on the first floor of the Hendricks County Government Center at 355 S. Washington Street, Danville, IN 46122 with the following Hendricks County personnel in attendance:

Phyllis A. Palmer	Commissioner, President
Bob Gentry	Commissioner, Vice President
Dennis W. Dawes	Commissioner
R. Todd McCormack	Executive Director
Greg Steuerwald	County Attorney
Mila M. Shaffer	Administration and Public Affairs
John Ayers	Engineer
Cinda Kattau	Chief Deputy Auditor
Jack Sadler	Sheriff
Nicole Lawson	Assessor
Dawn Mayhood	Treasurer
Dave Gaston	Surveyor
Tiffany Dalton	Chief Deputy Surveyor
Erin Hughes	Human Resources Administrator
Jack Swalley	Facilities Manager
Doug Morris	I.T. Director
Tim Dombrosky	Planning & Building Director
Billy Staley	Veterans Service Officer
Krista Click	Health Department Administrator
Kristen Lien	Environmental Health Specialist
Mark Chmielewski	Security Deputy
John Gramling	I.T. Application Support Specialist
Tonya Cottrell	Building & Floodplain Manager
Ryan Lemley	Parks & Recreation Superintendent

PLEDGE TO THE FLAG, PRAYER, AND DETERMINATION OF A QUORUM

Commissioner Palmer opened the Meeting at 9:00 AM with a quorum of all three (3) Commissioners present, led the Pledge to the Flag in unison, and gave a brief prayer for those who wished to participate.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the Minutes of the September 10, 2024 Commissioners' Meeting and of the September 24, 2024 Commissioners' Meeting as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Direct Deposit Numbers 254010-254551 and Budgetary Claims presented from the Auditor's Office for the period beginning September 26, 2024 and ending October 9, 2024 subject to review. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PROPOSED EMPLOYEE MANUAL AMENDMENTS FROM THE COUNCIL

Erin Hughes reported the Council is requesting the Commissioners adopt the two amendments to the Employee Manual that were presented at the September 10, 2024 Commissioners' Meeting regarding clocking in/out on time clocks and restricting the routine use of personal vehicles to conduct County business. Erin Hughes advised adopting the time clock policy addresses the following issues:

- Accountability – Erin Hughes advised that when employees were surveyed on the top things they believe are important and needed at Hendricks County Government by Red Envelope, accountability was one of the top 4 responses.
- Lessens the issue of possible ghost employment – Erin Hughes stated she has viewed the cameras because she's received several complaints from employees at various buildings and there are employees that clock in and then do not walk into the building until 10-15 minutes later.
- Employees being paid to drive to work.
- Possible insurance liability if a wreck occurs – Erin Hughes stated there have been a couple of incidents and they've had to try and determine if the employee was on or off the clock.
- Employee practices that everyone is treated the same – Erin Hughes stated this is the best defense for the County should any situation arise.
- Being good stewards of taxpayer dollars.

Erin Hughes advised these amendments are the result of employee complaints she's received, her personally sitting behind someone at McDonald's while they were clocked in, and her running Right Stuff audits. Erin Hughes stated that since these proposed amendments were presented, she has been thanked by several employees, that are also taxpayers, for addressing these issues and has heard from some elected officials/departments heads that this is not an issue in their departments and they do not understand why others are having issues. Erin Hughes stated there aren't long lines at the time clocks when clocking in/out and it only takes a couple minutes for everyone to get through. Erin Hughes advised that because of the compromise Nicole Lawson suggested, Councilman Wathen has agreed that the Council would pay for two time clocks to be installed on the top floor and one to be installed at the southeast entrance of the Government Center. Erin Hughes stated Doug Morris advised he also has funding to cover the costs to add time clocks to the locations that currently do not have them; the time clocks are roughly \$2,500 each for the clock itself. Erin Hughes stated she spoke with Catherine Haines and Catherine Haines advised the courts are good with using the time clocks at the Courthouse. Erin Hughes requested the Commissioners approve the proposed amendments.

Commissioner Gentry moved to approve the Employee Manual amendment restricting the routine use of personal vehicles to conduct County business as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

There was discussion amongst the Commissioners regarding the proposed amendment requiring employees to clock in/out at a time clock. Commissioner Palmer reported the opportunity was given for people to submit any comments they had regarding it to Todd McCormack and Erin Hughes. Commissioner Palmer advised Todd McCormack addressed a couple of possible additions and she thinks they should consider stipulating it applies to hourly employees and also thinks the compromise mentioned of the additional time clocks is good. Commissioner Dawes reported they have been talking about this for quite a while now and appreciates the comments from Erin Hughes and Todd McCormack.

Commissioner Dawes advised he agrees with what's been said and stated that with the understanding of adding Todd McCormack's proposed revision for hourly employees and the installation of additional time clocks he would move to approve adding the amendment requiring hourly employees to clock in/out at the time clocks. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ZA 517/24: BRIAN MOTTER

Commissioner Dawes reported that after speaking with legal counsel, the ZA 517/24: Brian Motter matter, presented at the September 24, 2024 Commissioners' Meeting needs brought forward today and voted on.

Commissioner Dawes moved to accept the Plan Commission's unfavorable recommendation and deny the rezoning Petition and advised it would not go back to the Plan Commission. Commissioner Palmer seconded the motion. Commissioner Gentry stated he respectfully disagrees because the concessions the Petitioner presented to the Commissioners at their last meeting and out of fairness, thinks the Plan Commission should be able to hear them. Commissioner Gentry inquired if they would be able to bring the Petition back to the Plan Commission with their concessions. Commissioner Palmer stated she believes they can reapply in six months and feels that would be the fair thing to the remonstrators and to the Plan Commission. Tim Dombrosky advised they could reapply sooner if significant/substantial changes were made to the Petition and stated he wants the Commissioners to understand that zoning amendments are indefinite and they can reapply as many times as they have the stamina for. Tim Dombrosky advised if it's the same Petition, they would have to wait six months to reapply but if it's substantially changed, they can apply tomorrow. Commissioner Gentry advised that when they had the windmill issue, one of the farmers stated they were looking for it to seek some tax relieve and in this case their tax burden is heavy and they need another way to create a revenue stream. Commissioner Gentry stated the Plan Commission may vote the same way, but thinks they need to hear the Petitioner's concessions. Commissioner Palmer stated the Plan Commission also needs to hear the remonstrators and to her, that feels like the fair thing. Commissioner Gentry stated that given the fact they can reapply, he would concede. Commissioner Dawes stated that as Tim Dombrosky advised, if there are substantial changes they can reapply tomorrow and if it's the same project they would have to wait six months to reapply. Tim Dombrosky inquired if the Commissioners would agree that the concessions constitute as substantial changes. Commissioner Gentry stated he would. Commissioner Palmer stated she wouldn't. Commissioner Dawes stated he wouldn't and inquired if that was up to the Plan Commission or to the Commissioners and suggested the Plan Commission decide. Tim Dombrosky stated it is up to him. The motion was approved 3-0-0 to accept the Plan Commission's unfavorable recommendation and deny the rezoning request. Commissioner Palmer requested the remonstrators they heard from that are planning to attend the Plan Commission Meeting tonight be contacted to let them know it would not be heard. Tim Dombrosky stated he would do his best.

IN THE MATTER OF INDYGO 2ND QUARTER CLAIM

Stacie Ware, LINK representative, presented their IndyGo 2nd Quarter Reimbursement Claim Form and Invoice for \$264,211.00 and requested approval. Stacie Ware advised the Auditor's Office had reviewed and approved the documentation submitted.

Commissioner Gentry moved to approve the Claim as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Dawes stated this seems like a cumbersome process for a very good service for the community, but if that's what it takes, they will keep doing it.

IN THE MATTER OF LEADERSHIP HENDRICKS COUNTY LEASE EXTENSION

Jana Morrison, Leadership Hendricks County (LHC) representative, thanked the Commissioners for always supporting LHC. Jana Morrison reported LHC would like to exercise the renewal option in their Lease for office space at the Fairgrounds.

There was discussion amongst the Commissioners, Todd McCormack, Greg Steuerwald, and Jana Morrison regarding the matter. Greg Steuerwald and Todd McCormack advised their current Lease does have an option to renew at the current market value. Jana Morrison advised the rent would be increased by \$14.00 per month.

Commissioner Gentry moved to approve renewing the Lease as requested. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0. The Lease will now expire on December 31, 2026.

IN THE MATTER OF ARPA FUNDING FOR OSCAR HIGGINS REGULATED DRAIN

Tiffany Dalton requested \$61,500.00 from ARPA funding for repairs to the Oscar Higgins Regulated Drain. Tiffany Dalton advised the quotes received were lower than that amount but would like to keep the requested amount the same in case there are things that come up during the project. Tiffany Dalton advised that if approved, the request would be presented to the Council.

Commissioner Gentry moved to send a favorable recommendation for the ARPA funding request to the Council. Commissioner Dawes seconded the motion and stated the money would be coming from the interest earned from investing the ARPA funding the County received. The motion was approved unanimously 3-0-0.

**IN THE MATTER OF PROPOSED AMENDMENTS TO THE
HEALTH DEPARTMENT COLLECTION OF FEES ORDINANCE**

Krista Click presented proposed amendments to the Board of Health Ordinance for Collection of Fees and requested approval. Krista Click advised the majority of the amendments are due to the amended septic ordinance.

There was discussion amongst the Commissioners and Krista Click regarding the matter.

Commissioner Dawes moved to approve the proposed Ordinance as presented. Commissioner Palmer inquired if they would need to schedule a public hearing for the matter. Mila Shaffer advised she spoke with Greg Steuerwald and since there are no fines or penalties listed in the proposed Ordinance, they could approve it today, advertise it, and allow the 30-day remonstrance period to expire instead of going through the public hearing process. Greg Steuerwald confirmed that would be the process. Commissioner Gentry questioned the septic reinspection fee that states a \$50.00 septic reinspection fee may be imposed for each additional inspection and inquired if there was any way to just have it be a \$50.00 flat fee. Krista Click introduced Kristen Lien and advised she would be replacing Ginger Harrington. Commissioner Gentry stated he thinks it should just be a \$50.00 fee, even if you have to go out one or two times, and does not agree with \$50.00 being charged each time. Kristen Lien advised that in the six years she has worked for the County she does not think they've ever charged anyone the fee. Krista Click advised they normally go out once or twice and give a list of items that need to be completed and may charge it if there are repeated inspections/trips because everything on the list was not completed, and is somewhat an enforcement thing. Commissioner Gentry advised he wanted to go on the record and stated he respectfully disagrees with their smearing theory. Commissioner Dawes and Commissioner Palmer stated they think it is fine the way it is written. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. [Ordinance No. 2024-41 was assigned.] Commissioner Dawes reported he attended Ginger Harrington's retirement open house and it was nice to see a lot of outside people that he assumes were contractors.

**IN THE MATTER OF ALL TERRAIN PROPOSALS FOR
GOVERNMENT CENTER PARKING LOTS & BUILDING LANDSCAPE**

Jack Swalley presented Proposals from All Terrain Landscape and Snow Management for \$9,565.31 for the installation of plants, trees, and river rock in the parking lot islands, landscape beds, and drainage area of the Government Center and requested approval. Jack Swalley advised he's changing from mulch to river rock because the river rock does not need to be replaced each year like the mulch does and reduces the maintenance.

Commissioner Dawes moved to approve the Proposals as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ACTION PEST CONTROL SERVICE AGREEMENT

Jack Swalley presented eleven Action Pest Control Service Agreements for \$13,655.00 annually for improved pest control and prevention at various locations and requested approval. Jack Swalley stated he wasn't really getting a good response from the current provider and felt it was time to look at another method and add service to all the locations.

There was discussion amongst the Commissioners, Greg Steuerwald, and Jack Swalley regarding the matter.

Commissioner Dawes moved to approve the Agreements as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF DESIGN FEE PROPOSALS FOR SR 39 INTERSECTION IMPROVEMENTS

John Ayers presented a Proposal from A&F Engineering for \$676,580.00 to design two roundabouts at the I-70/SR 39 intersection and a Proposal from Kimley-Horn for \$340,000.00 to design one roundabout in the same

area. John Ayers reported construction of each roundabout is estimated to be around \$3 million and the costs are hopefully going to be shared between INDOT, the County, and the developers. John Ayers stated design needs to be completed and the Commissioners have suggested that the County step up and fund the designs and requested permission to go to the Council for approval of a funding source.

There was discussion amongst the Commissioners, John Ayers, and A&F Engineering regarding the matter. Commissioner Gentry requested a discussion be had with the farmers in the area to make sure their concerns are heard regarding the roundabouts being large enough to accommodate farm equipment. John Ayers advised the roundabouts would be large enough to accommodate the farmers because there is substantial semi traffic in this area and they will need to be large enough to accommodate them. Commissioner Gentry requested they go and talk with the farmers because they are already anxious.

Commissioner Gentry moved to approve funding the design portion of the roundabouts and for John Ayers to go to the Council to request a funding source as recommended. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0. John Ayers advised he would go to the Council about a funding source and then work on putting the design agreements together.

IN THE MATTER OF COMMENTS FROM THE FLOOR

Pastor Brian Harr, Coatesville Missionary Baptist Church, reminded everyone about the recently approved Resolution for Operation Green Light and advised he went to find green light bulbs and couldn't find them, but was able to find them on Amazon. Pastor Harr stated his full support is behind this project for the veterans.

IN THE MATTER OF ELECTED OFFICIALS

Dawn Mayhood respectfully inquired why the issue of clocking in/out isn't put on the elected officials/department heads. Dawn Mayhood advised she appreciates them installing them upstairs but still doesn't understand why it's not the elected officials/department heads responsibility to handle their own offices and their own hourly employees. Commissioner Palmer thanked Dawn Mayhood and advised they have the Employee Manual that all employees have signed and elected officials/department heads are to follow that Manual that has been approved by the Commissioners. Commissioner Dawes stated it is their responsibility to handle their employees that work under them and advised the Commissioners will help them any way they can, which is what they are trying to do with the policy, but they are the onsite enforcers with HR to see that it's done. Commissioner Dawes advised that at his previous employer they had over 2,000 employees, used time clocks, and it all flowed through to the departments that were responsible for them and it all seemed easy and without a lot of complications. Dawn Mayhood stated she's not sure how many time clocks they're planning to put upstairs, but her office doesn't have an issue at all and they have to be clocked in at 7:57 AM. Commissioner Dawes stated to keep up the good work. Commissioner Palmer stated they are putting two time clocks on the second floor and one at the southeast entrance and appreciates the suggestion for them from one of Dawn Mayhood's co-elected officials.

Nicole Lawson requested clarification, since they've all agreed to add the additional time clocks, that the new policy regarding the time clocks would not go into effect until after all of the new time clocks have been installed.

Commissioner Gentry advised that was a good question because they can't clock in on a time clock that's not there. It was the consensus of the Commissioners that the time clock policy would not go into effect until after the time clocks are installed. Commissioner Palmer inquired a time frame for installation. Doug Morris advised he would get them ordered but the biggest factor will be for the contractor to install the wiring. Doug Morris stated he can't guarantee it, but hopes it would be done by November 1, 2024. Commissioner Palmer stated the record should reflect that the time clock policy would become effective once the time clocks are installed.

IN THE MATTER OF INDOT LETTER OF SUPPORT

John Ayers presented a Letter of Support for INDOT to apply for three grants for safety projects and requested approval; one for guardrail, one for additional striping, and one for sign replacements.

There was discussion amongst the Commissioners and John Ayers regarding the matter.

Commissioner Gentry moved to approve the Letter as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF DESIGN FOR ROUNDABOUT AT CR 525 E. AND CR 100 S.

John Ayers reported the Town of Avon is undertaking an annexation of an area that would encompass where the County planned a roundabout for the intersection of CR 525 E. and CR 100 S., making it the Town's jurisdiction. John Ayers proposed the County go ahead and complete the design but then turn it over to the Town for construction funding. John Ayers advised the Town's staff has agreed to this proposal and stated that as design is completed, the Town will be included in all the meetings for it.

There was discussion amongst the Commissioners and John Ayers regarding the matter. Commissioner Palmer inquired if there was any consideration into having the Town pay for the design. John Ayers advised the County is pretty far into design already, probably 60-70% in on the design costs, and stated it's up to the Commissioners if they would like to suggest that the Town pay for some of the design costs. Commissioner Gentry inquired what Commissioner Palmer recommends. Commissioner Palmer stated she did not know but it felt like the County designs and then the Town controls. Commissioner Gentry agreed and inquired if the Town could buy in on whatever design costs are left. John Ayers stated they could and advised the Town will be responsible for the construction costs estimated at \$2.5 million. John Ayers stated he could look into the design billing status to see where it's at. The Commissioners requested John Ayers do that.

IN THE MATTER OF NEW CLOCKING IN/OUT POLICY

John Ayers stated he would like to see the final version of the policy regarding clocking in/out to figure out how he's going to handle a couple of situations in his office that he had written to the Commissioners and HR about.

IN THE MATTER OF CONSTRUCTION PROJECT CHANGE ORDERS

Greg Steuerwald advised that Jack Swalley has some change orders from current construction projects that need approved and signed and to protect Jack Swalley, inquired if the Commissioners want to approve them or if they wanted to give Jack Swalley the authority to approve and sign them.

There was discussion amongst the Commissioners, Greg Steuerwald, Todd McCormack, Jack Swalley, and John Ayers regarding the matter. Commissioner Palmer stated she thinks it is better if the change orders are brought to the Commissioners to approve and sign. Todd McCormack suggested setting a monetary limit. Commissioner Palmer stated Sheriff Sadler brought up creating a policy a few weeks back that would give the authority to certain individuals and advised they need to work on that policy with a limit and suggested someone create it and bring it to the Commissioners. Commissioner Gentry inquired how John Ayers handles change orders on the large bridge projects. John Ayers advised they are handled on a case-by-case basis and large ones are brought back to the Commissioners but stated that most of the times they shuffle items within the contract to offset the change order increase to make sure the project doesn't exceed the contracted amount and maybe some guidelines would be helpful. John Ayers stated a lot of the contracts are controlled by INDOT and they make the decision. Jack Swalley advised the change orders total approximately \$26,000.00 and are still within his budget amount for the project. Commissioner Palmer suggested someone create a policy to bring to the Commissioners for consideration, possibly Greg Steuerwald and Todd McCormack.

Dan Zuerner, Garmong Construction, advised that what he typically sees in other counties is as long as the change order does not exceed the contract amount, they allow others to approve them and then a list is presented to the Commissioners each month to keep them updated.

Commissioner Gentry moved to approve Jack Swalley's change orders as discussed and for Commissioner Palmer to sign them when they are available. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SPACE STUDY STATUS

Commissioner Dawes inquired about the status of the space study.

Jack Swalley reported it is moving again and they have one more location to visit. Dan Zuerner advised they are putting it together and are on target for a mid-November completion.

IN THE MATTER OF NEW HIGHWAY DEPARTMENT FACILITY

Commissioner Dawes inquired when the new Highway Department Facility would go out for bidding. Dan Zuerner stated the documents for the bidding are on target for January 2025.

John Ayers stated the annexation hearing with the Town of Danville is on October 16, 2024 and thinks it would be good for a commissioner to be present. Commissioner Dawes stated he would be there.

IN THE MATTER OF NEW CLOCKING IN/OUT POLICY

Nicole Lawson advised that since they are not able to see the new amendments to the policy with the time clock one being tweaked and inquired if staff in the field would be able to use their cell phone to clock in/out for lunch.

Commissioner Palmer stated yes, staff in the field during their lunch would be able to use their cell phone to clock in/out for lunch, and advised the amendments would go out to all employees.

IN THE MATTER OF COMMISSIONERS

Commissioner Dawes reported the earlier discussion regarding the roundabouts illustrates the growth that is occurring in that part of the County and advised he met last week with the Mill Creek School's Superintendent and two Board Members about it. Commissioner Dawes stated they are very concerned because of the growth that they are aware of that's going on in their school areas and are trying to keep ahead of expanding their buildings, etc., with the additional students that new employers and a new housing development could bring, along with the whole situation with Liberty Township to provide emergency services to that area. Commissioner Dawes stated the County needs to keep an eye on the development in that area of the County and what may or may not happen and is glad the school corporation is thinking about it, but it does have them concerned that they will not be able to keep up with the growth.

There was discussion amongst the Commissioners regarding the matter and the 50/50 TIFs in the area, along with the one-time developer contributions for Liberty Township emergency services. Commissioner Dawes advised the growth will require full time emergency services, not volunteer services, and funding will be needed to sustain the public services. Commissioner Gentry inquired if Brad Butler, Liberty Township Trustee, established his budget with a tax rate. Commissioner Dawes stated he had. Commissioner Gentry inquired what the tax rate was. Commissioner Dawes stated he did not know.

Commissioner Palmer stated it's nice to see people lined up to vote and encouraged everyone to vote.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

STAFF REPORTS RECEIVED

1. Receipt acknowledged for the Engineering Department Report of October 8, 2024 from John Ayers.
2. Receipt acknowledged for the Executive Director's Report of October 8, 2024 from Todd McCormack.
3. Receipt acknowledged for the I.T. Department Report of October 8, 2024 from Doug Morris.
4. Receipt acknowledged for the Facilities Department Report of October 8, 2024 from Jack Swalley.
5. Receipt acknowledged for the Highway Department Report of August 17-23, 2024, August 26-30, 2024, September 2-6, 2024, September 9-13, 2024 and September 16-20, 2024 from Curt Higginbotham.
6. Receipt acknowledged for the HR Report of September 21, 2024-October 4, 2024 from Erin Hughes.
7. Animal Control/Shelter Report of September 20, 2024-October 3, 2024 from LaDonna Hughes.
8. Receipt acknowledged for the EMA Report of September 25, 2024-October 4, 2024 from Debbi Fletcher.
9. Receipt acknowledged for the Parks & Recreation Report of October 4, 2024 from Ryan Lemley.

CORRESPONDENCE RECEIVED

1. Notice of Public Hearing by the Avon Board of Zoning Appeals for SE 24-04 and VAR 24-06, 891 N. Avon Avenue, from Cerulean Development Company.
2. Notice of Survey for DES No. 2300934 from INDOT.
3. Notice of Tort Claim from Ken Nunn Law Office representing Cassandra Mason, individually and as a parent and natural guardian of Benjammin Mason, a minor, and Cassandra Mason as parent and natural guardian of Logan Mason, a minor.

IN THE MATTER OF ADJOURNMENT

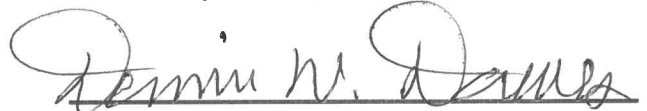
Commissioner Dawes moved to adjourn the Hendricks County Commissioners' Meeting at 10:25 AM on Tuesday, October 8, 2024. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.



Phyllis A. Palmer, President



Bob Gentry, Vice President



Dennis W. Dawes, Member