



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE NOVEMBER 12, 2024 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, November 12, 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
Nancy Marsh	Auditor
John Ayers	Engineer
Jack Sadler	Sheriff
Dawn Mayhood	Treasurer
Erin Hughes	Human Resources Administrator
Jack Swalley	Facilities Manager
Doug Morris	I.T. Director
Tim Dombrosky	Planning & Building Director
Jim Mardis	Regional Sewer Director
Billy Staley	Veteran Services Officer
Dan Chubb	Chief Deputy Coroner
Stephanie Moore	Deputy Coroner
Mark Chmielewski	Security Deputy
Tiffany Dalton	Chief Deputy Surveyor
Ann Stark	Payroll Deputy

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 and led the Pledge to the Flag in unison. Commissioner Dawes gave a brief prayer for those who wished to participate. Commissioner Palmer congratulated Commissioner Dawes, Nancy Marsh, and Greg Steuerwald for their election wins.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the Minutes of the October 22, 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 Check Numbers 110602-110604, Direct Deposit Numbers 255103-255685 and Budgetary Claims presented from the Auditor's Office for the period beginning October 24, 2024 and ending November 13, 2024 as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF UNFINISHED BUSINESS

No matters received.

**IN THE MATTER OF PUBLIC HEARING FOR MAXIMUM SPEED LIMITS ON EAST
HENDRICKS COUNTY ROAD**

Commissioner Palmer opened the Public Hearing at 9:05 AM for the Ordinance for Maximum Speed Limits on Certain County Roads as follows:

<u>STREET</u>	<u>LOCATION</u>	<u>LIMIT</u>
East Hendricks County Road	0.25 miles west of SR 39 to 0.25 miles east of SR 39	40 MPH

There were no remonstrators present and Commissioner Palmer closed the Public Hearing at 9:06 AM.

John Ayers reported INDOT requested the County lower the speed limit to 40 MPH in preparation for the roundabout they will be constructing for their fiscal year 2027.

Commissioner Dawes moved to approve the Ordinance as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Ordinance No. 2024-46 was assigned to the Ordinance.

IN THE MATTER OF INDOT SPECIAL WARRANTY ARRANGEMENT FOR LINK

Stacie Ware, LINK representative, presented a Special Warranty Arrangement that INDOT is now requiring for their CY2025 Section 5311/5339 grant application and requested approval.

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

**IN THE MATTER OF PROPOSED CHANGES TO ORDINANCE NO. 2013-09 FOR
EROSION CONTROL FEE SCHEDULE**

Mila Shaffer reported Jim Mardis is requesting amendments be made to Ordinance No. 2013-09 for Separating the Hendricks County Erosion Control Uniform Fee Schedule to remove the stop work orders section and add a fee section for credit/debit card transactions.

There was discussion amongst the Commissioners, Mila Shaffer, and Jim Mardis regarding the matter and demolition permits. Jim Mardis requested the Commissioners approve the proposed changes to the Ordinance.

Commissioner Gentry moved to approve the amendments to the Ordinance as requested. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0. Ordinance No. 2024-47 was assigned.

IN THE MATTER OF CREDIT CARD FOR SURVEYOR'S OFFICE

Mila Shaffer reported the Surveyor's Office would like to replace their Hendricks County Bank & Trust (HCB&T) credit card with the standard County credit card from First National Bank with a credit limit of \$6,000.00.

There was discussion amongst the Commissioners, Nancy Marsh, and Mila Shaffer regarding the matter. The Commissioners inquired what the normal credit limit is. Nancy Marsh advised most departments have a \$3,000.00-\$5,000.00 credit limit per card.

Commissioner Dawes moved to approve issuing the credit card with a \$5,000.00 credit limit. Commissioner Gentry seconded the motion and inquired why a \$5,000.00 credit limit and not \$3,000.00 credit limit. Nancy Marsh advised that most departments having the lower credit limit have come and asked for \$5,000.00 or more. Commissioner Palmer inquired if approved, if they would cancel the HCB&T Tiffany Dalton stated they would and advised the Surveyor's Office wants to be more consistent and use the same credit card everyone else does. Tiffany Dalton stated their current credit limit is \$6,000.00. Commissioner Dawes inquired if the \$5,000.00 limit would be sufficient or if they needed the \$6,000.00. Tiffany Dalton stated she would like to have the \$6,000.00 limit but would be okay with the \$5,000.00 limit if that's their vote. The motion approved unanimously 3-0-0.

**IN THE MATTER OF BANNING ENGINEERING AGREEMENT TO DEDICATE
E. CAMPUS BOULEVARD**

Jack Swalley presented the Banning Engineering Agreement for the Provision of Limited Professional Engineering Services for \$6,300.00 to dedicate the East Campus Boulevard to the Town of Danville and requested approval. Jack Swalley advised the Town seems receptive to accepting the dedication.

Commissioner Dawes moved to approve the Agreement as presented. Commissioner Gentry seconded the motion and there was discussion amongst the Commissioners and Jack Swalley regarding the matter. The motion was approved unanimously 3-0-0.

IN THE MATTER OF CONSTRUCTION CHANGE ORDERS FOR THE CORONER'S OFFICE

Jack Swalley presented numerous construction change orders for the Coroner's Office totaling \$107,005.38 and requested approval. Jack Swalley stated this project has been a very challenging project.

There was discussion amongst the Commissioners and Jack Swalley regarding the matter and the delayed completion of the facility. The Commissioners inquired what the financial appropriation was for the project. Jack Swalley advised that with increases, the total appropriation for the project is \$742,000.00 and stated there needs to be better contracts in the future because the current one doesn't have enough teeth to it and the project is way over schedule. The Commissioners inquired if the project would remain under the appropriated amount with all the change orders and who approved the change orders. Jack Swalley stated the total cost should remain under the appropriated amount and advised he and others had approved and signed the change orders and he is trying to correct the process. Commissioner Gentry stated the project needs to stay under the \$742,000.00 no matter what. Jack Swalley stated it should be able to.

Commissioner Dawes moved to approve the change orders as presented. Commissioner Gentry seconded the motion and inquired why the change orders weren't presented and approved by the Commissioners. Jack Swalley stated he lacked the knowledge of the proper procedures and is trying to correct it and will follow correct procedures in the future. The motion was approved unanimously 3-0-0.

IN THE MATTER OF GSF USA, INC. ADDENDUM FOR HEALTHY FAMILIES

Jack Swalley presented the GSF USA, Inc. Exhibit B Addendum for \$630.75 per month for cleaning of the new Healthy Families location at 202 Meadow Drive and requested approval. Jack Swalley advised that the Health Department is covering the cost of the monthly cleaning fee.

Commissioner Gentry moved to approve the Addendum as presented. Commissioner Dawes seconded the motion. Commissioner Palmer stated GSF is doing a fantastic job and is very pleased with the cleanliness of the building. Jack Swalley stated they have been a great company to work with and are very responsive. The motion was approved unanimously 3-0-0.

IN THE MATTER OF GSF USA, INC. & AMERISURE PROPERTY DAMAGE RELEASE

Jack Swalley presented the GSF USA, Inc. & Amerisure Insurance Company Property Damage Release for Claim No. 2660578 for \$32,760.00 for the damage to the front of the Government Center and requested approval. Jack Swalley advised this amount should cover the costs to repair the damage to where it will not be highly noticeable.

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

IN THE MATTER OF DISASTER EMERGENCY PROCLAMATION

Commissioner Palmer stated the Commissioners issued a Disaster Emergency Proclamation on October 29, 2024 to ban burning from October 29, 2024-November 5, 2024 and requested a formal vote be taken for the record.

Commissioner Gentry moved to approve the Proclamation retroactively. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0

IN THE MATTER OF ALCOHOLIC BEVERAGE BOARD APPOINTMENT

Commissioner Dawes moved to reappoint Garen Carnes to serve on the Alcoholic Beverage Board. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAYTON-LIBERTY TOWNSHIP PUBLIC LIBRARY BOARD APPOINTMENT

Commissioner Palmer reported Leon Archer resigned from the Clayton-Liberty Township Public Library Board and immediately received an application from Leslie Jo O'Sullivan to serve as the replacement.

Commissioner Gentry moved to appoint Leslie Jo O'Sullivan to the Clayton-Liberty Township Public Library Board to replace Leon Archer. Commissioner Dawes seconded the motion and stated Leslie Jo O'Sullivan is an excellent candidate for the position. The motion was approved unanimously 3-0-0.

IN THE MATTER OF ASSIGNING A TAX SALE CERTIFICATE TO THE TOWN OF AVON

Nancy Marsh reported Tax Sale Certificate No. 322400147 for Property ID No. 023-135611-300003 did not sell at the tax sale and advised the Town of Avon has requested it be assigned to them. Nancy Marsh stated the parcel is located at the intersection of Avon Avenue and E. County Road 100 N. and has been annexed by the Town.

There was discussion amongst the Commissioners and Nancy Marsh regarding the matter.

Commissioner Gentry moved to assign the Certificate to the Town of Avon as requested. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COMMENTS FROM THE FLOOR

Doug Feltner, 1391 E. County Road 900 N. in Pittsboro, emotionally pleaded with the Commissioners to look into the intersection of CR 150 E. and CR 900 N. for any improvements that could be made. Doug Feltner reported there was a fatal accident there yesterday, November 11, 2024, involving a 16-year-old girl that was ejected from her vehicle and passed away under his bedroom window and as a veteran, he will go the rest of his life remembering that day that way. Doug Feltner reported this was the fourth accident at the intersection in twelve years, and the first fatality

There was discussion amongst the Commissioners, John Ayers, and Doug Feltner regarding the matter and possibly passing an ordinance to prohibit farmers from planting their crops to where they obstruct roadways. Commissioner Palmer expressed their sincere condolences to Doug Feltner, the young girl's family, and the entire community for the tragedy. John Ayers stated he would look into the intersection. Commissioner Gentry stated the young lady had a name, Morgan Henderson, and we all mourn her loss.

IN THE MATTER OF ELECTED OFFICIALS

Sheriff Jack Sadler echoed Commissioner Palmer's sentiments regarding the fatal accident.

IN THE MATTER OF POSSIBLE ORDINANCE TO REGULATE TOWING

There was discussion amongst the Commissioners, Todd McCormack, and Sheriff Jack Sadler regarding a possible ordinance to regulate the towing of vehicles in Hendricks County; fees, after hours vehicle retrieval, methods of payment, etc. Todd McCormack stated many other counties do regulate the towing of vehicles by ordinance and Hendricks County seems to be unregulated. Todd McCormack advised he could provide the Commissioners with ordinances adopted by other counties if they would like to look into it.

It was the consensus of the Commissioners for Todd McCormack to work on something to bring back to them.

IN THE MATTER OF COMMISSIONERS

Commissioner Dawes reported the Commissioners received a letter from the Hendricks Regional Health (HRH) Board of Trustees requesting the Commissioners reappoint Erin Engels to serve another term on the Board. Commissioner Dawes stated he supports this request to keep that Board consistent.

Commissioner Dawes moved to reappoint Erin Engels to serve another term on the HRH Board of Trustees. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Dawes reported the Drainage Board has a vacancy and advised three applications were received. Commissioner Dawes stated the Commissioners agree that the best applicant has a conflict of interest that would remain and while it would be really good if they could find another applicant in a different part of the County, they have a very good competent applicant now, and does not think the location matters in that regard.

Commissioner Dawes moved to appoint Michael Hession to the Drainage Board. Commissioner Gentry seconded the motion. Commissioner Palmer stated he seemed to be very knowledgeable and eager to serve. The motion was approved unanimously 3-0-0. Commissioner Palmer stated Stan Ryland is missed.

Commissioner Palmer stated Veterans Day was yesterday and thanked the veterans in the audience.

Commissioner Palmer requested Mila Shaffer reach out to Bridgette Collins to schedule a tour of the Work Release Facility following the November 26, 2024 Commissioners' Meeting and invited Todd McCormack.

Renee Tomlinson, 911 Communications Center, reported it's been recently brought to her attention that the radios they have will be out of date as of December 31, 2024 and unable to flash, which means some of the radios will no longer accept new programming, and in order to do so after that date they would have to be replaced. Renee Tomlinson stated it costs \$415.00 per radio for the flash programming to allow multiple people to talk, and as the County grows, advised it will be more important to allow the additional people to talk; currently 8 are able to talk at the same time and the programming will allow 24. Renee Tomlinson stated IPSC (Incident and Position Standards Committee) has an initiative that by 2026 all radios have to have this programming and if they reprogram the 180 radios in the system now, it will allow them time to put it in their budget for purchasing a new radio at some point. Renee Tomlinson advised new radios cost anywhere from \$6,000.00-\$15,000.00 each and stated there are over 1,000 radios on the County's IPSC radio system. Renee Tomlinson stated that right now she's requesting \$100,000.00 from the County for the radios that need to be programmed because currently, that cost is on the individual departments. Renee Tomlinson advised they hold the radio system and if they had that money they could flash program the radios in house for \$415.00 per radio, otherwise as of January 1, 2025, they're basically paperweights and they would have to spend \$6,000.00 to get them up and running. Renee Tomlinson stated this would help alleviate the pressure on the other agencies that may not have the funds to do this.

Commissioner Palmer inquired if this would be a shared costs with the Towns or if she was only asking the County. Commissioner Dawes stated his thoughts are it's a public safety issue across the County that could affect all and it's best for the County to undertake this at this point to get all these radios up and running. Commissioner Gentry agreed. Commissioner Dawes stated this would allow time for each department to get things ready for funding it in 2026. Commissioner Dawes recommended the County use the interest earned from ARP monies.

Commissioner Gentry inquired if they have to use Motorola for the radios or can they take competitive bids, like from Johnson, because other counties use Johnson radios that have no issues communicating with Motorola radios. Renee Tomlinson stated they can but there are some proprietary things and when it comes to something they know well, Motorola knows radios and they are the best and most consistent in the business. Renee Tomlinson advised it would cost millions to switch since they're already established as a Motorola product. Commissioner Gentry stated that Motorola holds the County hostage.

Todd McCormack inquired if Motorola just told her about this now. Renee Tomlinson stated no, but the real problem is that IPSC keeps making their dates different, and they've known about it since back in May, but not to this extent. Renee Tomlinson advised she let everyone know that they needed to get moving on it back in May and stated if one radio isn't upgraded, it will keep all the radios at the 8 per frequency, and wants to get everyone on it so they get the best usage. Todd McCormack inquired if she just didn't hear back from anyone or what happened when she reached out to them back in May. Renee Tomlinson stated in May they were a wait and see because IPSC kept moving the date and now they have a hard date and the radios will be out of date.

Commissioner Gentry moved to send a letter to the Council recommending they approve funding the flash programming from the ARP interest. Commissioner Dawes seconded the motion. Todd McCormack inquired if the funding would come to the Commissioners' Office for disbursement or where would it be appropriated. Nancy Marsh stated it would be appropriated as a Commissioners' additional appropriation line item. The motion was approved unanimously 3-0-0. Commissioner Dawes stated Renee Tomlinson has done a very good job in her position and thanked her for the work she does. Commissioner Palmer agreed.

Greg Steuerwald reported the County can hire a realtor, hold a public auction, or conduct an online auction through the State for the sale of the parcel by the cemetery in Liberty Township and inquired if the Commissioners would like for his associate, Abby Means, and Mila Shaffer to coordinate the online auction process.

There was discussion amongst the Commissioners and Greg Steuerwald regarding the matter. Greg Steuerwald recommended they check out the online public auction through the State. Commissioner Gentry inquired if there was any way to protect it from nefarious people bidding on the parcel. Greg Steuerwald stated there was not.

It was the consensus of the Commissioners for Greg Steuerwald's office to coordinate the online auction process.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

STAFF REPORTS RECEIVED

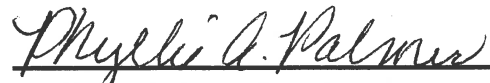
1. Receipt acknowledged for the Engineering Department Report of November 12, 2024 from John Ayers.
2. Receipt acknowledged for the Executive Director's Report of November 12, 2024 from Todd McCormack.
3. Receipt acknowledged for the I.T. Department Report of November 12, 2024 from Doug Morris.
4. Receipt acknowledged for the Facilities Department Report of November 12, 2024 from Jack Swalley.
5. Receipt acknowledged for the Highway Department Report of October 14-18, 2024, October 21-25, 2024 and October 28, 2024-November 1, 2024 from Curt Higginbotham.
6. Receipt acknowledged for the HR Report of October 19, 2024-November 8, 2024 from Erin Hughes.
7. Animal Control/Shelter Report of October 18, 2024-November 6, 2024 from LaDonna Hughes.
8. Receipt acknowledged for the EMA Report of October 5, 2024-November 1, 2024 from Debbi Fletcher.
9. Receipt acknowledged for the Treasurer's Monthly Report for the month ending October 31, 2024 from Dawn Mayhood.
10. Receipt acknowledged for the Parks & Recreation Report of November 7, 2024 from Ryan Lemley.


CORRESPONDENCE RECEIVED


1. Notice of Tort Claim from Amanda Honey.
2. Notice of Tort Claim from Keller & Keller representing Graham J. Matthews.
3. Summons and Complaint from Stuart & Branigin representing Farm Credit Mid-America

IN THE MATTER OF ADJOURNMENT

Commissioner Palmer adjourned the Hendricks County Commissioners' Meeting at 10:27 AM on Tuesday, November 12, 2024.


Phyllis A. Palmer, President


Bob Gentry, Vice President


Dennis W. Dawes, Member