



## **HENDRICKS COUNTY BOARD OF COMMISSIONERS** **MINUTES OF THE FEBRUARY 25, 2025 MEETING**

**FULL AUDIO RECORDING AVAILABLE AT**  
**[HTTP://WWW.YOUTUBE.COM/@HENDRICKSCOGOV](http://www.youtube.com/@hendrickscogov)**

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The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, February 25, 2025 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:

Dennis W. Dawes	Commissioner, President
Bob Gentry	Commissioner, Vice President
Brad Whicker	Commissioner
R. Todd McCormack	Executive Director
Greg Steuerwald	County Attorney
Mila M. Shaffer	Administration and Public Affairs
Ann Stark	Auditor
Dave Wyeth	Councilman
Jack Sadler	Sheriff
Dan Chubb	Coroner
Tiffany Dalton	Chief Deputy Surveyor
John Ayers	Engineer
Doug Morris	I.T. Director
Jack Swalley	Facilities Manager
Tim Dombrosky	Planning & Building Director
Curt Higginbotham	Highway Department Superintendent
Bart Harvey	Highway & Bridge Project Manager
Mark Chmielewski	Government Center Security Deputy
Ryan Lemley	Parks & Recreation Superintendent

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

Commissioner Dawes congratulated Doug Morris on becoming a new grandparent.

Commissioner Dawes 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.

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### **APPROVAL OF MINUTES OF THE SEPTEMBER 17, 2024 JOINT COMMISSIONERS' AND COUNCIL MEETING AND OF THE FEBRUARY 11, 2025 COMMISSIONERS' MEETING**

Commissioner Gentry moved to approve the Minutes of the September 17, 2024 Joint Commissioners' and Council Meeting and of the February 11, 2025 Commissioners' Meeting as presented. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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### **APPROVAL OF CLAIMS**

Commissioner Gentry moved to approve Direct Deposit Numbers 259762-260308 and Budgetary Claims presented from the Auditor's Office for the period beginning February 13, 2025 and ending February 26, 2025. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF BID OPENING FOR SIGNAL AT  
OLD SR 267 & E. HENDRICKS COUNTY ROAD**

Commissioner Dawes closed the bidding for the Signal at Old SR 267 and E. Hendricks County Road Project at 9:02 AM.

John Ayers opened and read the only bid received from Morphe Construction for \$437,948.00. John Ayers stated the bid would be taken under advisement and a recommendation presented in two weeks.

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**IN THE MATTER OF TOWNSHIP ASSISTANCE DENIAL APPEAL HEARING**

Timothy Layton, 10444 Kensington Way in Avon, appeared to appeal his denial of Township Assistance from the Washington Township Trustee's Office stating he believes he was racially discriminated against by the Trustee's Office and that they excessively delayed a response back to him advising him of formatting issues with the documentation he submitted until after his landlord had begun the eviction process. Timothy Layton stated they advised him of the formatting issues six days after they received his email and then waited another two days after that to deny him because of his landlord filing for eviction. Timothy Layton inquired why it would take someone that works in an office six days to notify someone that the format they used wasn't accessible to them. Timothy Layton stated the landlord didn't file the eviction paperwork with the Court until February 6, 2025.

Greg Steuerwald advised that during an appeal hearing, the Commissioners do not determine if a person applying for assistance is eligible, they determine if the Township Trustee's Office followed the Guidelines for Township Assistance filed with the Commissioners. If the guidelines were followed, the Commissioners would deny the appeal as they do not determine the applicant's eligibility. If the guidelines were not followed, the Commissioners would approve the appeal and the Trustee's Office would have to reprocess the application properly to determine if the applicant is eligible.

Becky Rackley and Ashley Black, representatives from the Washington Township Trustee's Office, stated they were advised by the landlord that they filed for eviction on January 6, 2025 and at that point, their office cannot do anything until the applicant has the eviction resolved. Becky Rackley stated that at no point was anything else presented to them notifying them of a different eviction filing date. Becky Rackley advised she did refer Timothy Layton to Family Promise and to FSSA for food stamps and energy assistance since he had not worked since September to see if they could be of any assistance.

Timothy Layton stated his landlord started the eviction process in January 2025 but did not official file the eviction with the Court until February 6, 2025.

Commissioner Gentry inquired if Timothy Layton could reapply for assistance. The Trustees Office stated he could reapply but that they would not be able to offer him any assistance until after he resolves the eviction.

Commissioner Whicker reported he once served on a Township Trustee Board and had dollar amount restrictions they were not allowed to exceed. The Trustee's Office confirmed that is true and they would not be able to offer all of what Timothy Layton is needing, even if he was eligible.

Commissioner Gentry stated the Trustee's Office did their due diligence and followed the guidelines for assistance and moved to regretfully deny Timothy Layton's appeal for Township Assistance. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF LINK 4<sup>TH</sup> QUARTER 2024 CLAIMS**

Stacie Ware, LINK representative, introduced their new Transportation Manager, Jeff Murray. Stacie Ware presented the 2024 4<sup>th</sup> Quarter 5307 Claim for \$30,876.74 and the 2024 4<sup>th</sup> Quarter 5311 Claim for \$170,250.00 and requested approval.

Commissioner Gentry moved to approve the 5307 claim and the 5311 claim as presented. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

## **IN THE MATTER OF ZA 517/24: BRIAN MOTTER**

Tim Dombrosky presented an Ordinance to amend the zoning map of Hendricks County from AGR/Agricultural Residential District to GB/General Business District, commonly known as ZA 517/24: Brian Motter, S7-T15N-R2W, Marion Township, 2 parcels totaling 14.63 acres, located at 8081 W. HWY 36, Coatesville, IN. Tim Dombrosky advised the Plan Commission voted 4-0 during their February 11, 2025 Public Hearing to send no recommendation to the Commissioners. Tim Dombrosky reported that his recommendation remains unchanged and reiterated once again that the Petitioner submitted certain operational commitments that cannot be enforced by the Plan Commission because they are temporary and after hours.

Commissioner Whicker stated he is familiar with it and ultimately there were five opportunities for this to be heard by the Plan Commission; the first one the Petitioner did not show up, the second one was heard, the third one was heard, the fourth one was a continuance, and the fifth one was heard two weeks ago. Commissioner Whicker expressed some of his concerns of why did it take so long, it's already been to the Commissioners twice, and what in the process has failed on the County's end or has led the Petitioner to believe that he could get a different answer than what he's already gotten. Commissioner Whicker advised this is the third time it's been to the Commissioners, at least four opportunities with the Plan Commission and two of those he oversaw and received an unfavorable recommendation, and it's not been easy but something hasn't worked well all along in this specific rezoning case.

Commissioner Dawes reminded everyone that this is not a public hearing for the Petition and is strictly for the Commissioners to decide and if they choose, they can ask questions regarding it if they so desire. Commissioner Dawes advised the paperwork from the Plan Commission states that the project has complied with the applicable notification requirements and complies with the Hendricks County Comprehensive Plan and inquired if the rezoning complies with the revised Comprehensive Plan. Tim Dombrosky stated he thinks the new language that was put in the revised Comprehensive Plan for farmland conservation was strengthened as it applies to rural development.

Commissioner Gentry stated he thinks part of the issue as to why this got so confused was that part of the people representing the Petitioner were unfamiliar with the County's rules and ordinances and they subsequently, as the neighbors appropriately pointed out at the PC meetings of light pollution that has been addressed. Commissioner Gentry inquired if the Petitioner and Greg Irby, Petitioner's attorney, agree that a stipulation of the rezoning is it has to remain a self-storage facility and if they would commit to moving the trailers that are stored outdoors ASAP. The Petitioner and Greg Irby both agreed and confirmed. Commissioner Gentry advised they also are committing to a six-foot dirt berm to deflect headlights and a timed gate so no one can enter the facility before 6:00 AM or after 10:00 PM.

Commissioner Gentry moved to approve the rezoning Petition as presented based upon the Petitioner's commitments. Commissioner Dawes seconded the motion and the motion was approved by majority 2-1-0; Commissioner Whicker opposed the motion. Ordinance No. 2025-03 was assigned.

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## **IN THE MATTER OF ZA 522/25: D.R. HORTON**

Tim Dombrosky presented an Ordinance to amend the zoning map of Hendricks County from RB Rezoning Commitment to RB Change of Commitment No. 12, commonly known as ZA 522/25: D.R. Horton S-06T-14NR-1E, Liberty Township, 116 plus parcels totaling 113.59 +/- acres, located on the west side of CR 400 East between US Highway 40 and CR 600 South. Tim Dombrosky advised the Plan Commission voted 4-0 during their February 11, 2025 Public Hearing to send a favorable recommendation to the Commissioners. Tim Dombrosky reported this amends the allowable garage façade to accommodate a three-car garage and advised the third bay would be offset as part of the amendment.

Commissioner Gentry moved to approve the recommendation of the Plan Commission for the amendment as presented. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0. Ordinance No. 2025-04 was assigned.

## **IN THE MATTER OF ZA 523/25: HENDRICKS COMMUNITY SOCCER**

Tim Dombrosky presented an Ordinance to amend the zoning map of Hendricks County from AGR/Agriculture District to PP/Preservation and Park District, commonly known as 523/25: Hendricks Community Soccer S-31&36T-17NR-1&2E, Brown Township, parcel totaling 45.75 acres, located on the northwest corner of CR 700 North and CR 1000 East. Tim Dombrosky advised the Plan Commission voted 4-0 during their February 11, 2025 Public Hearing to send a favorable recommendation to the Commissioners.

Commissioner Gentry moved to approve the recommendation of the Plan Commissioner for the rezoning as presented. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0. Ordinance No. 2025-05 was assigned.

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## **IN THE MATTER OF RESOLUTION ADOPTING THE HENDRICKS COUNTY COMPREHENSIVE PLAN**

Tim Dombrosky presented a Resolution Adopting the Hendricks County Comprehensive Plan to formalize their adoption of the Plan that was approved at a previous meeting and requested it be signed.

It was the consensus of the Commissioners to sign the Resolution as presented. Resolution No. 2025-06 was assigned.

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## **IN THE MATTER OF 2025 ORGAN TRANSPLANT POLICY RENEWAL**

Mila Shaffer reported the Commissioners did not have a quorum at the recent Joint Meeting for benefits and requested approval of the County's 2025 Organ Transplant Policy renewal with Tokio Marine. Mila Shaffer advised there were no premium increases or coverage changes.

Commissioner Whicker moved to approve the renewal as requested. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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## **IN THE MATTER OF NOTICE TO BIDDERS FOR GOVERNMENT CENTER ROOF REPLACEMENT**

Jack Swalley presented the Notice to Bidders for the Government Center Standing Seam Roof Replacement and requested approval. Bids shall be due by 9:00 AM on March 25, 2025.

There was discussion amongst Commissioner Whicker and Jack Swalley regarding the metal manufacturer being the one that completed the bid specifications for the project and that limiting the bidders because they are committed to that manufacturer's metal because they wrote the specs. Jack Swalley stated he didn't have any costs involved for the creation of the bid specifications. Commissioner Whicker stated of course not, because they're going to buy your product and it is almost an end-around. Jack Swalley stated yes.

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

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## **IN THE MATTER OF COMMENTS FROM THE FLOOR**

No matters presented.

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## **IN THE MATTER OF ELECTED OFFICIALS**

No matters presented.

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## **IN THE MATTER OF INTERSECTION AT CR 900 N. AND CR 150 E.**

John Ayers reported he's studied the intersection of CR 900 N. and CR 150 E. following last year's fatal accident and presented the following recommended improvements based upon the studies:

- Posting both roadways with a 40 mph speed limit based upon the 85<sup>th</sup> percentile speeds.
- Leveling the low areas on the east and west approaches to the intersection to the best of our ability with

bituminous material to reduce the grade change and increase controllability of a vehicle as it crosses the intersection.

- Posting intersection warning signs on the east and west approaches and “cross traffic does not stop” signs on the north and south approaches.

John Ayers stated the intersection does not meet warrants for a multi-way stop, pointing out there’s only been five accidents there in twenty years.

Commissioner Gentry stated he thinks this is a very gracious response to the requests received.

Commissioner Gentry moved to proceed with the three recommendations as presented. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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#### **IN THE MATTER OF VANTAGE PROJECT NORTH OF PITTSBORO**

John Ayers reported he has had meetings lately with representative of the Vantage project north of Pittsboro regarding road and drainage improvement.

Commissioner Dawes asked when the meeting was in Pittsboro for it. John Ayers stated it’s tonight.

Commissioner Gentry reported that for transparency purposes, in some respects this project involves land that he and his brother own.

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#### **IN THE MATTER OF FARMLAND LEASES**

John Ayers inquired if the Commissioners wanted to keep the same \$210.00 per acre per year rate for the County’s farmland leases and if they were interested in leasing the twenty-five acres adjacent to the new Highway Facility.

It was the consensus of the Commissioners to keep the lease rate the same and to lease the additional acreage at that same rate.

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#### **IN THE MATTER OF AUDITOR’S OFFICE FURNITURE REPLACEMENT**

Jack Swalley advised they’ve had some hiccups with the furniture replacement and is still working on it.

Commissioner Gentry inquired if Jack Swalley communicated with Steve Patterson at the Fairgrounds to see if they are able to use any of the furniture being replaced. Jack Swalley stated he did not. Commissioner Gentry inquired if there was still any remaining furniture. Jack Swalley advised there was. Commissioner Gentry requested Jack Swalley contact Steve Patterson as they do have some need there.

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#### **IN THE MATTER OF NEW STORAGE FACILITY FLOORING**

Jack Swalley advised he just received notice that the vendor is not able to install the new flooring until April 1, 2025.

Commissioner Whicker inquired if the issue was related to the vendor. Jack Swalley stated it was and workloads have changed and he cannot get it scheduled until April 1<sup>st</sup>. Commissioner Whicker instructed Jack Swalley to contact the vendor and tell them he wants to void the contract if they can’t get the installation accelerated. Jack Swalley stated he would have that conversation with the vendor.

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#### **IN THE MATTER OF COUNTY ATTORNEY**

Greg Steuerwald inquired if the Commissioners would like him to submit the revised lease for the Conservation Club to their attorney stating the County has no responsibility in excess of the drainage assessment.

It was the consensus of the Commissioners for Greg Steuerwald to proceed with the lease with that stipulation.

## IN THE MATTER OF COMMISSIONERS

No matters presented.

### IN THE MATTER OF BID OPENING FOR NEW HIGHWAY DEPARTMENT FACILITY

Commissioner Dawes closed the bidding for the new Highway Department Facility at 10:00 AM.

Alaine Vanderford, Garmong Construction, opened and read the following base bids:

VENDORS	SITE DEVELOPMENT	GENERAL TRADES	FIRE PROTECTION	PLUMBING & MECHANICAL	ELECTRICAL
Millenium Contractors	\$2,175,000				
CRM Excavating	\$2,262,991				
Eaton Excavating	\$2,388,200				
Fox Contractors	\$3,305,479				
Myers Construction Management		\$8,600,000			
Boyle Construction Management		\$9,290,000			
First Due		\$9,880,561			
Vulcan Fire Protection			\$195,000		
Integrity Fire Protection			\$217,000		
Dalmatian Fire			\$373,300		
Quality Plumbing and Heating				\$2,125,000	
Huston Electric					\$1,498,912
Payne Electric					\$1,816,000
Electric Plus					\$1,857,700
Gaylor Electric					\$1,910,300

Alaine Vanderford stated the bids would be taken under advisement and a recommendation presented at the next Commissioners' Meeting.

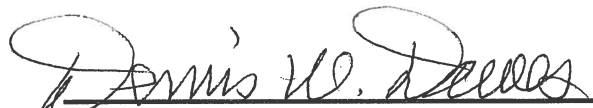
### IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

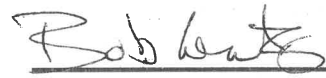
#### STAFF REPORTS RECEIVED

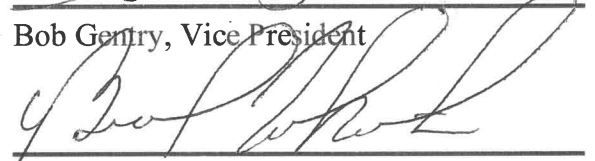
1. Engineering Department Report of February 25, 2025 from John Ayers
2. Executive Director's Report of February 25, 2025 from Todd McCormack
3. I.T. Department Report of February 25, 2025 from Doug Morris
4. Facilities Department Report of February 25, 2025 from Jack Swalley
5. Highway Department Report of February 3-7, 2025 and February 10-14, 2025 from Curt Higginbotham
6. HR Report of February 8-21, 2025 from Erin Hughes
7. Animal Control/Shelter Report of February 7-20, 2025 from LaDonna Hughes
8. EMA Report of February 8-21, 2025 from Debbi Fletcher
9. Weights & Measures Report of January 15, 2025-February 19, 2025 from Robert Butler
10. Parks & Recreation Report of February 21, 2025 from Ryan Lemley

### IN THE MATTER OF ADJOURNMENT

Commissioner Whicker moved to adjourn the Hendricks County Commissioners' Meeting at 10:12 AM on Tuesday, February 25, 2025. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

  
Dennis W. Dawes, President

  
Bob Gentry, Vice President

  
Brad Whicker, Member