

September 28, 2004

The Hendricks County Board of Commissioners met in regular session at 6:35 PM on Tuesday September 28, 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
John Ayers	Hendricks County Engineer
Todd Durnil	Hendricks County Administrator
Don Reitz	Hendricks County Plan Director
Mary Anne Lewis	Hendricks Country Chief Animal Control Officer
Judith Wyeth	Secretary to the Commissioners

NOTE: Auditor Nancy Marsh was on vacation and did not attend this meeting.

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IN THE MATTER OF MINUTES

Commissioner Ostermeier moved to approve the minutes for the meetings of February 10, February 17, May 11, June 15, June 22, June 22 Joint, June 28, July 6, July 13, July 20, July 27, July 28, August 3, August 10, August 12, August 17, and August 24, 2004, as marked. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF CLAIMS

Commissioner Ostermeier moved to approve claims #131292 thru 131610 as presented September 28, 2004. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF FAIRGROUNDS – BIDS

John Ayers reported the low bid for Bid Package 2 for the fairgrounds had been withdrawn and that all bids were over the estimate. Mr. Ayers recommended rejecting all bids received and reissuing after he has met with the architect and Fair Board to revise the plans. Commissioner Ostermeier moved to reject the bids for Bid Package 2 of the fairgrounds and for the staff to meet with the engineers and architect and revise the design to keep within the budget. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF ZA-313/LN04-01: DAVID B. KLAIN

Don Reitz presented ZA-313/LN04-01: David B. Klain, a request to change the zoning of 11.51 acres, located on the west side of County Line Road, approximately 0.25 mile north of U.S. Highway 136 in Lincoln Township, from RA: Single Family (20,000) Residential District, to R-F: Multi-Family (12) Residential District. Mr. Reitz further advised that the Plan Commission held a public hearing for this request on September 14 and sends with a favorable recommendation of 4-0-0. Attorney Lee Comer explained the proposed 75 units for this property. Commissioner Ostermeier moved to approve ZA-313/LN04-01: David B. Klain, as Ordinance 2004-32, as recommended by the Plan Commission. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF ZA318/WA04-02: DEBORAH ELLIS

Don Reitz presented ZA-318/WA04-02: Deborah Ellis, a request to change the zoning of 1.00 acre, located on the south side of East Main Street, approximately 0.06 mile west of CR 500E in Washington Township, from R-1: Single Family (20,000) Residential District, to NG: Neighborhood Business District. Mr. Reitz further advised that the Plan Commission held a public hearing for this request on September 14 and sends this zoning request with a favorable recommendation of 4-0-0. Commissioner Cleveland moved to approve ZA-318: Deborah Ellis, as Ordinance 2004-33, 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 EMERGENCY MANAGEMENT

Jim Adams reported on several spills in the County and that all had been contained.

Jim Adams stated the radios purchased from the grant had been received, would be programmed and distributed to various entities. Mr. Adams also gave an update on the PA system testing in County buildings.

Jim Adams advised that the Sheriff Department had been approved for a \$34,000 grant from the Indiana Criminal Justice System for fingerprinting equipment. Commissioner Cleveland moved to allow the President to execute the grant for the fingerprinting system from the Indiana Criminal Justice System. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

Jim Adams stated his last official day as Hendricks County Emergency Management Director would be October 1, however, he would stay until January 1, 2005, or until a replacement was found. Commissioner Ostermeier moved to temporarily appoint Jim Adams as the Emergency Management Director until January 1 or until a replacement is found. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF CIRCLE SEVEN

Receipt was acknowledged of a request from Lance D. Ratliff, Circle Seven Workforce Executive Director Investment Board, requesting approval for Madison County becoming a part of the Circle Seven Area. Commissioner Ostermeier moved to indicate “yes” on the letter to Madison County becoming a part of the Circle Seven Workforce Area and for the President to execute. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF ANIMAL CONTROL

Dr. Willis Parker requested information on the number of dogs taken from their owners by the courts. Dr. Willis also stated he wanted to make sure the Humane Society has space in the new animal shelter.

Commissioner Ostermeier requested Mary Anne Lewis, Chief Animal Control Officer, to respond to information reported in the *Hendricks County Flyer*. Ms. Lewis responded by explaining how the Parvo disease was handled in the ill animals, the procedures they used to protect the health of other animals confined at the shelter and the procedure used to euthemize animals when needed. Sharon Tyler, Chief Deputy, explained the procedures used on a regular basis to disinfect and make the shelter disease free. Dr. B. E. Mehringer, Avon Veterinary Clinic, explained the safety precautions taken at the shelter to protect the animals and that proper procedures were taken to handle the animals with Parvo and the other animals.

Mary Anne Lewis reported on the car show this year with 479 cars that netted \$10,521.38 for the building fund for the animal shelter. This annual car show is sponsored by Red Bledsoe of B & E Kennels and each year donates the proceeds to the animal shelter building fund. It was the consensus of the Commissioners to send a letter of appreciation to Mr. Bledsoe.

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RONALD REAGAN PARKWAY

John Ayers presented a contract with HNTB for scope of services for the four-mile extension of project, design enhancement design guidelines, and optional additional services of the Ronald Reagan Parkway. Commissioner Ostermeier moved to execute the agreement between HNTB and Hendricks County for the master plan of the Ronald Reagan Parkway. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers presented warranty deeds for the exchange of property within the Ronald Reagan Parkway with Browning Development. Commissioner Ostermeier moved to execute the warranty deeds for Browning Development for exchange of property on the Ronald Reagan Parkway. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers presented a resolution to vacate an alley on the exchange property with Browning Development. Commissioner Ostermeier moved to approve Resolution 04-09 to vacate an alley in the Ronald Reagan Parkway. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0

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IN THE MATTER OF CARDINAL ESTATES

John Ayers presented two quotes received for construction of the drainage improvements in Cardinal Estates:

Eaton Excavating	\$ 60,701.00
John Trisler	38,823.50

Mr. Ayers reported that a third requested quote was not returned and further advised they are planning to purchase the pipe directly using the current Highway Department bid prices, which will save approximately \$8,000 and both bids had taken this into account. Mr. Ayers recommended to go with Trisler and with the addition of the pipe would keep the total for Trisler at \$57,000, which is below the estimated \$85,000 and is the lowest quote. Commissioner

Cleveland moved to approve the quote for drainage improvement plans for Cardinal Estates from John Trisler, as the lowest most responsive and responsible quote received. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF PRESTWICK - DRAINAGE

Commissioner Palmer-Ryser removed herself from the discussion of the Prestwick drainage problems. John Ayers advised that the Prestwick Community Services Association had requested we investigate an erosion/drainage problem at 5771 Ridge Hill Way in the Prestwick development where there is a very large washout behind this address and a 24” metal pipe discharging into a stream. The repair will consist of the placement of approximately 40 tons of large riprap around the pipe and the placement will have to be from above the washout with access through a 20’ easement. Three quotes were solicited; however, only two were received:

John Trisler \$3,550	Keith Miner \$2,500
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Mr. Ayers recommended awarding the work to the lowest quote of Keith Miner, with added contingency of \$1,500. Commissioner Cleveland moved to award Keith Miner the drainage project at Ridge Hill Way in Prestwick with the added contingency of \$1,500, as the lowest quote and as recommended by the County Engineer. Commissioner Ostermeier seconded the motion and the motion was approved 2-0-1 with Commissioners Cleveland and Ostermeier voting aye and Commissioner Palmer-Ryser abstaining.

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IN THE MATTER OF BRIDGE NO. 178

John Ayers presented a memo stating they have negotiated with JA Barker Engineering for the construction inspection services on Bridge No. 178 for the proposed total fees of \$60,151.39, which is 13.5% of the estimated construction cost of \$443,000, and recommended approval of this amount so the contract can be sent to INDOT for their approval. Commissioner Ostermeier moved to approve the construction inspection services of JA Barker Engineering, as recommended by the County Engineer. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF PLANNING

Don Reitz requested the Commissioners to establish a sixty (60) day moratorium for lot splits for the Planning staff to have time to review. Commissioner Ostermeier moved to set a moratorium on lot splits until December 1, 2004 to give staff time to revue splits, as requested by the Planning Director. Commissioner Cleveland seconded the motion and the motion was approved unanimously 3-0-0.

Todd Durnil presented for consideration a preliminary proposal from Imaging Office Systems for scanning building permits in the Planning and Building Department to start a document managing system within that department

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IN THE MATTER OF WEST CENTRAL JOINT SESSION SPECIAL EDUCATION CORP.

A request was presented from Carol Trueblood, West Central Joint Services Special Education Corporation, to train a student for two days a week, two hours each day, to help with basic office procedures. The request stated that a supervisor would be with the student each day. It was the consensus of the Commissioners to approve a student to

train to assist with basic office procedures, at no cost to the County, and that they could help with mailing or other office procedures in the Government Center.

IN THE MATTER OF SOLID WASTE DISTRICT

Greg Steuerwald advised the contract for legal service for the Solid Waste District needs additional wording. Commissioner Cleveland moved to allow the Solid Waste District contract with wording “not to exceed” be added and for the President to execute the contract after the revision. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Cleveland moved to recess the meeting at 8:15 PM. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 3-0-0.

Linda Palmer-Ryser, President

Sonya R. Cleveland, Vice President

Steven L. Ostermeier, Member

ATTEST: Judith Wyeth, Deputy Auditor

