

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, August 23, 2005, 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:

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| Phyllis A. Palmer     | ) |                                           |
| Ed Schrier            | ) | Hendricks County Board of Commissioners   |
| David A. Whicker      | ) |                                           |
| Gregory E. Steuerwald |   | Hendricks County Attorney                 |
| Nancy L. Marsh        |   | Hendricks County Auditor                  |
| Russ Lawson           |   | Hendricks County Highway Superintendent   |
| John Ayers            |   | Hendricks County Engineer                 |
| Don Reitz             |   | Hendricks County Plan Director            |
| Michael E. Graham     |   | Administrator to County Commissioners     |
| Ron Love              |   | Hendricks County Human Resources Director |
| Jack Miller           |   | Hendricks County Sheriff’s Department     |
| Judith Wyeth          |   | Secretary to the Commissioners            |

IN THE MATTER OF MINUTES

Commissioner Palmer moved to approve the minutes of August 16, 2005, as corrected. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Whicker moved to approve claims #073232 thru 073528 and direct deposit #016974 thru 017234 as presented August 23, 2005. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CORRESPONDENCE AND CALENDAR

Commissioner Schrier acknowledged receipt of the following correspondence and calendar:

Today will be a Special Planning Presentation at 1:00 PM  
A letter from Congressman Buyer stating a Medicare Prescription meeting at the Senior Center from 9–10: AM. on August 25  
August 25, Insurance Committee 9:00 AM and Council Meeting 2:00 PM  
August 26, Work Release Meeting 2:00 PM  
August 30, No meeting as this is a fifth Tuesday  
August 31, Communications Meeting Ellis Park 6:30 PM  
September 5, Labor Day all offices closed  
September 6, Ronald Reagan Parkway1:00 PM, Regional Transit Authority 2:00 PM and Engineering 2:30 PM  
September 8, Council 2:00 PM  
September 13, Courthouse space 1:00 PM  
September 15, employee blood draw on the south parking lot of the Government Center 8:00 AM to noon  
Receipt of a check for \$42,105 from the State Auditor for LINK Hendricks County  
Purchase order for a copier for Lincoln Township Assessor was consensus of Commissioners for President to sign  
Notice of Rails to Trails fund raiser for the B&O Trail  
Letter of August 18 from Judge Jeff Boles stating that Mike Graham was a perfect selection  
It was the consensus of the Commissioners to sign three titles for vehicles that are to be sold, as requested by Terry Kennard

IN THE MATTER OF PARKING ORDINANCE – AVON SCHOOLS

There was discussion of the Parking Ordinance for Avon Schools. It was the consensus of the Commissioners to table this matter until Counsel returned to the meeting.

Greg Steuerwald returned to the meeting.

Commissioner Schrier opened the public hearing for the Parking Ordinance for Avon Schools. There was no public input. Commissioner Schrier closed the public hearing for a Parking Ordinance for Avon Schools.

Commissioner Whicker moved to adopt the Parking Ordinance for Avon Schools as Ordinance 2005-31, with questions, and to amend with proper street descriptions being added. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

## IN THE MATTER OF SHELTERING WINGS

Marina Hennesy, Sheltering Wings Director of Outreach, presented handouts, stated they served over 1200 families last year, and explained the many services Sheltering Wings provides to women and children who are victims of domestic abuse. Ms. Hennesy requested \$10,000 to meet the budget for the children's program and requested to again place on the Courthouse lawn a clothesline to display T-shirts during the month of October in observance of Domestic Violence Month. Commissioner Palmer moved to allow the clothesline to be placed on the Courthouse lawn for one month in observance of Domestic Violence Month. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

The Commissioners referred Ms. Hennesy to the Council for funding and stated Sheltering Wings is a part of the Prosecutor's budget.

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## IN THE MATTER OF COUNTYWIDE GUIDES 2006

Tim Gravenstreter, Countywide Guides, explained this book of information about Hendricks County is funded from local sponsors with no County funding and requested the Commissioners to sign a letter of approval for the 2006 Countywide Guides. There was discussion of the text of the letter and that all three Commissioners should sign. It was the consensus of the Commissioners to refer the letter to Mike Graham and Judy Wyeth to modify and bring back for the signature of all three Commissioners.

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## IN THE MATTER OF HUMAN RESOURCES

Commissioner Schrier introduced the new Human Resources Director, Ron Love. Several human resources forms were presented for execution. Commissioner Palmer moved to establish a salary for human resources and authorize the President to sign the documents. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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## IN THE MATTER OF INCENTIVE COMMITTEE

Commissioner Palmer stated an Incentive Committee meeting will be held in the next couple of weeks and requested Ron Love and Mike Graham to set a date.

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## IN THE MATTER OF COMPUTERS MANATRON – MAXIMUS CONTRACT

Receipt was acknowledged of the August 15, 2005 letter from Robert W. Freese, Judge Superior 1, requesting information on the Manatron/ Maximums contract. It was the consensus of the Commissioners to refer this matter to Auditor Nancy Marsh to research.

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## IN THE MATTER OF CLERK – PRECINCT BOUNDARIES

Receipt was acknowledged of a message from Laura Herzog requesting the precinct boundaries presentation by Clerk Cindy Spence be moved to September 20. It was the consensus of the Commissioners to move the Clerk's precinct boundaries to September 20, as requested.

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## IN THE MATTER OF ADMINISTRATOR TO COMMISSIONERS

Mike Graham reported on the Indianapolis Water Company meeting he attended where regional water options in the eight county area were discussed and stated he had checked with Plainfield and learned they were not included in any discussions on regional water. Mr. Graham requested to work with the towns on this matter. It was the consensus of the Commissioners that Mike Graham make the towns aware of this matter.

Mike Graham discussed fleet management stating he was working with Terry Kennard and had been advised that

the old RV command vehicle needs to be sold. Commissioner Whicker moved to sell the RV subject to approval of David Warren, Emergency Management Director, and to work on a car pool and policy. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Mike Graham stated he had contacted Ray Benson, Park Board President, regarding a wine tasting party in McCloud Park and learned the park has no policy. Greg Steuerwald stated he will check if the Commissioners have authority in this matter.

There was discussion of the official title for Mike Graham. Commissioner Whicker moved for Mike Graham to have the title of Administrator to County Commissioners. Commissioner Palmer seconded the mention and the motion was approved unanimously 3-0-0.

Mike Graham advised he had checked with other departments and with the courts and was not supportive of digital recording equipment. The Commissioners suggested that he check with Planning and Health on this matter.

Mike Graham stated he will check further on the procedure for citizen involvement in the daylight saving time issue and report back.

The Commissioners expressed their appreciation on the weekly update from Mr. Graham. Commissioner Schrier expressed his appreciation to Commissioner Palmer for working with Mike Graham on his first day on the job.

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IN THE MATTER OF HIGHWAY

Russ Lawson reported they are working to resolve some pipe problems, mowing roadsides, and working on roads.

John Ayers stated the Highway Department had been trimming limbs as requested by the schools to aid the visibility of school buses, but they were also having reports of visibility problems on County roads and intersections where farmers had planted in the right-of-way. It was the consensus of the Commissioners for the County Engineer to work on a letter or notice to send to these individuals.

John Ayers reported back on CR 700N and stated there is a 30 foot right-of-way on this road.

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IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers presented the August 23, 2005 letter from Vaughn A. Wamsley relative to access to the proposed Ronald Reagan Parkway. Commissioner Whicker moved to approve the Vaughn Wamsley letter with Hendricks County and for the President to sign the letter regarding the proposed Ronald Reagan Parkway properties, as stated. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers presented Amendment No. 7 with American Consulting for additional right-of-way services on the Ronald Reagan Parkway. Commissioner Palmer moved to approve the amendment with ACE for right-of-way services. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers presented a contract for engineering services with Beam, Longest and Neff for right-of-way services on the Ronald Reagan Parkway from US 40 to the Boone County Line with changes as previously discussed. Commissioner Whicker moved to approve the Beam, Longest and Neff contract for engineering services including changes, as previously discussed. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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Greg Steuerwald advised that letters had been sent to Mel Daniels, Attorney for the Town of Plainfield and Bob Duncan, Attorney for the Airport, relative to executing the interlocal agreement for the Ronald Reagan Parkway.

IN THE MATTER OF SMALL STRUCTURE – CE-077

John Ayers presented an agreement for consulting service with R. W. Armstrong & Associates for replacement design of Hendricks County Small Structure No. CE-077 in Center Township. Commissioner Whicker moved to approve the agreement for construction of CE-077 with R. W. Armstrong. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SMALL STRUCTURE – GU-080

John Ayers presented an agreement for consulting services with R. W. Armstrong & Associates for replacement design of Hendricks County Small Structure No. GU-080 in Guilford Township. Commissioner Whicker moved to approve the agreement for construction of GU-080 with R. W. Armstrong. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SPACE

John Ayers presented a response from the Town of Danville stating they plan to keep the building at 20 South Jefferson Street for their future needs.

IN THE MATTER OF PITTSBORO

John Ayers presented a clause from INDOT for Compliance with Telephone Solicitations Act, relative to the agreement between the Town of Pittsboro, Hendricks County and INDOT for the CR 275W approach over I-74 and stated this is a standard agreement. It was the consensus of the Commissioners to approve and initial this contract.

IN THE MATTER OF FAIRGROUNDS - FIBER OPTIC AND PHONES

John Ayers presented a fiber and phone data wiring budget for the new fairgrounds from consultant Paul Johnson Associates and requested to fund from cum cap. Commissioner Whicker moved to approve the additional consultant fees from Paul Johnson Associates with the stipulation of a written agreement not to exceed \$8,700. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COURTHOUSE - SECURITY

John Ayers presented a quote from Photo Scan Security systems to provide a camera for the holding cell and a monitor at the security desk at the Courthouse. Commissioner Palmer moved to approve purchase of video equipment at the Courthouse for \$3,448 and for the President to sign the proposal. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

IN MATTER OF JAIL

John Ayers presented for review, a summary of the findings of the Engineering Staff for the jail inspection and maintenance. Jack Miller stated that some of the repair and maintenance will need to be outsourced.

IN THE MATTER OF ZA-153/05: DS DEVELOPMENT, LLC

Don Reitz presented ZA-153/05: DS Development, LLC, a request for an amendment to the previously approved PUD/Planned Unit Development District standards for 10.40 acres in Washington Township, located at the northwest corner of CR 100N and Raceway Road. Mr. Reitz explained the amendment and stated the Plan Commission held a public hearing on August 9 and sends this request with a favorable recommendation 5-1-0. Commissioner Palmer moved to approve ZA-153 amendment, as recommended by the Plan Commission, as Ordinance 2005-32. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

## IN THE MATTER OF ZA-349/05; ASCENSION PROPERTIES

Don Reitz presented ZA-349-05: Ascension Properties, for a change in zoning from RB/Single Family (1,250) Residential District, to GB/General Business District, for 3.54 acres in Washington Township, located at the southwest corner of the intersection of C R 100N and SR 267 (Lots 5-8 Teresa Acres). Mr. Reitz stated the Plan Commission held a public hearing on August 9 and sends this request with a favorable recommendation of 5-0-1. Commissioner Palmer moved to approve ZA-349, as recommended by the Plan Commission as Ordinance 2005-33. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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## IN THE MATTER OF COUNTY HOME

James McBryant requested approval to admit Melvina Morgan as a new resident to the County Home and to negotiate fees. Commissioner Palmer moved to approve the admission of Melvina Morgan to the County Home and to negotiate the rate with the resident's family. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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## IN THE MATTER OF AGENDA

Commissioner Schrier requested Mike Graham and Judy Wyeth work on revising the agenda format. It was the consensus of the Commissioners to move Mike Graham, Administrator to County Commissioners to the top of the agenda.

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## IN THE MATTER OF ANIMAL CONTROL

Dr. Willis Parker requested a report of the activity of the animal control.

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## IN THE MATTER OF BROWNFIELDS LOAN

Greg Steuerwald advised the property where the County is a conduit on the Brownfields Loan is being sold and advised there are several final documents required for closing. Commissioner Palmer moved to give Counsel the authority to approve documents and to designate Mr. Schrier as the Commissioner to reference. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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Commissioner Palmer moved to recess the Commissioners' meeting at 11:55 AM and to reconvene at 1:00 PM. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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Commissioner Schrier opened the afternoon session at 1:00 PM.

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## IN THE MATTER OF PLANNING

Don Reitz presented a packet with a draft Request for Qualifications for a new comprehensive plan, gave a brief history of the comp plan, the need to update, and requested to hire a consultant for this revised comp plan. Mr. Reitz also expressed the need to archive the zoning maps.

Dick Whicker, Plan Commission President, recommended a consultant to start with the comp plan as time is of the essence with new owners of the old theme park property at I-70 and SR 39, US 36 between Danville and Avon and the Ronald Reagan Parkway being areas that we know will quickly develop.

JoAnn Groves, Plan Commission Vice President, stated the zoning of property should support the comp plan.

Lesa Wagner, Planner, stated the zoning and comp plan should be the same. Ms. Wagner questioned County properties that join the Town of Plainfield that were delayed annexation due to the census and currently remain in the County as they have never been annexed; however, the Town of Plainfield is issuing building permits on these properties. Commissioner Schrier stated Plainfield cannot issue permits on County property. Don Reitz advised he is

aware of this issue and will work with Plainfield to resolve this issue.

Tammy Richardson, Zoning Technician, advised it was difficult to keep the zoning maps updated and the need to preserve these maps.

Abby Heckman, Planning Technician, reported that it is difficult to get current zoning maps.

Commissioner Palmer moved to give approval to the Plan Commission and Planning Department to move forward with a new comp plan and to send a letter to the Council for support. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

There was discussion of the Area Plan Commission areas.

IN THE MATTER OF COMPUTER DEPARTMENT

Receipt was acknowledged of a letter from John Parsons responding to letters from Judge David Coleman and Dan Higbie relative to the Computer Department.

Commissioner Palmer moved to adjourn the meeting at 3:05 PM. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0

Ed Schrier, President

Phyllis A. Palmer, Vice President

David A. Whicker, Member

ATTEST: Judith Wyeth, Deputy Auditor

