

May 16, 2006

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, May 16, 2006, 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:

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
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
Martin Summers		Hendricks County Highway Superintendent
Judith Wyeth		Secretary to the Commissioners

Commissioner Whicker opened the meeting and led the Pledge to the Flag in unison. Commissioner Schrier gave a brief prayer for those who wished to participate.

IN THE MATTER OF MINUTES

Commissioner Palmer moved to approve the minutes of May 9, 2006, as corrected to include the names of the members of the Public Safety Communications Task Force committee of Myron Anderson, Jack Miller, Larry Brinker and Mike Graham to work on the Interlocal Agreement. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS


Commissioner Schrier moved to approve claims #154428 thru 154789, #077637 thru 077848 and direct deposit #022310 thru 022594 as presented by the Auditor on May 16, 2006. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HIGHWAY - WIDENER

Commissioner Whicker closed bids for the Highway Widener/Shoulder Machine at 9:35 AM. John Ayers opened a bid from Southeastern Equipment in the amount of \$91,200 for a 2005 Midland SPR with 135 hours. This was the only bid received. Martin Summers introduced Don Cordial, Southeastern Equipment, to explain this equipment. Mr. Cordial stated they had purchased a one-year warranty for this widener, which made the bid a little higher than the originally quote. Commissioner Schrier moved for staff to take the Southeastern Equipment bid under advisement and to bring back a recommendation on May 23. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SUBSTANCE ABUSE TASK FORCE

David Stumm, Substance Abuse Task Force, presented the following items, which have been reviewed by the Hendricks County Substance Abuse Task Force and were forwarded for consideration and approval to pay from the Hendricks County Drug Free Fund.

Hendricks County Substance Abuse Task Force, Inc 1 Courthouse Square #103 Danville, IN 46122		David Stumm President Christa Detzel, Coordinator Phone: 317-271-7468 Fax: 317-271-7468

Penrod Counseling	These funds will be used to provide treatment for EX- Parolee support groups for reentry into the community.	\$,2500.00
Penrod Counseling	To provide care for the children and parents who need help to attend the abuse programs.	\$3,950.00
Hendricks Co Substance Abuse Task Force	Coordinator-payment of service provided by coordinator to attend task force meetings, and state meetings related to the task force, and to manage the day to day affairs of the task force. This is a contract position which has been in place and paid from these funds for the last ten years and carries no benefits other than the pay. We anticipate the coordinator will average 5-10 hours a week on task force business.	\$1,083.00
	Total	\$,7533.00

All money held in the Drug Free Community Fund is received from fees collected from offenders who have been convicted of drug or alcohol related offenses. State statute sets out that these moneys are to be paid out in the community in support of three categories-education, treatment and enforcement. A portion of the money is set aside for discretionary use such as administration and supplies. We are currently collecting an average of just over \$10,000/mo into this fund. The Hendricks County Substance Abuse Task Force was set in place and designated as the coordinating committee of this fund by the Hendricks County Commissioners in 1994. The committee consists of students and school persons from all six schools, representatives of many local law enforcement agencies and other business and community members.

Mr. Stumm explained the request from Penrod Counseling in Avon. Commissioner Schrier moved to approve the requests from the Substance Abuse Task Force, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0

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IN THE MATTER OF CAROLINA COMMONS, SECTION 2

Jeff Scripture, KBRG – Keystone Homes, explained the location of Section 2 of Carolina Common, which they have purchased from Royal Haven and their concerns on the entrance. To meet the new County requirements they need to design the entrance blister to this subdivision to include 1,167 square feet of the property of Jerry and Ginny Vornholt, 8721 E. CR 100N (Tenth Street), and stated they are in disagreement on the value of this property. Mr. Scripture also inquired the possibility of using eminent domain to acquire this property. Bill Ottinger, Benchmark Consulting, the designing engineer, stated there are 58 lots in this section that will be coming thru this proposed entrance. Jerry Vornholt stated he was also concerned about preserving a 200-year old oak tree on the property, he wanted an escrow account be established to protect this tree for no damage within three years and introduced his attorney, Alan Hux. Mr. Hux stated he wanted to clarify that he was representing Mr. and Mrs. Jerry Vornholt on this matter and was not representing or speaking on behalf of the West Central Conservancy District. Mr. Hux expressed concerns for just compensation to his clients for this property. Commissioner Schrier questioned if this was a Plan Commission issue and what is staff’s recommendation about a passing blister on the north side of Tenth Street. There was discussion of ways to resolve this issue, compliance with passing blister requirements, putting the entrance on CR 900E, continue negotiations with the property owners, or go back to the Plan Commission. John Ayers stated the lack of ordinance requirements for the passing blister were the basis of this being a “local road”, but that the useage of the road justifies further measures being required. Commissioner Schrier moved to refer this matter to Greg Steuerwald, Mike Graham, Don Reitz and John Ayers with staff to determine from the Plan Commission minutes

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what step is next and to review this issue in the minutes, a report back from Mr. Hux that stated the north side of Tenth Street and to determine if this needed to be referred back to the Plan Commission and what time frame and to report back next week. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Greg Steuerwald explained the process for the property to have a blister at the Tenth Street entrance to Carolina Commons. It was the consensus of the Commissioners to go through the process as outlined by the County Attorney.

IN THE MATTER OF DANVILLE SCHOOLS – WAGE COMMITTEE

Receipt was acknowledged of a request from the Danville Community Schools for an appointment to the Common Wage Committee for the new 5-6 & 7-8 Middle School. Commissioner Schrier moved to appoint Jack Hobbs to serve on the Common Wage Committee for the Danville Middle School, as requested. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF FORD PROPERTY – MASTER PLAN

Commissioner Schrier stated the Dugan Ford property on Old US 36 (Main Street), 36 acres adjacent to the south side of the old Hendricks County fairgrounds is for sale and questioned if the County was interested in this property. Commissioner Palmer requested an inventory of all County property. Commissioner Schrier moved that we ask the consultant for the fairgrounds master plan to consider this property in the master plan and if it would be in the best interest of the County. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF I-70 AND SR 39 - EXIT 59

Commissioner Schrier stated he had met with the Economic Development Partnership and representatives from Wabash Scientific to discuss the 2004 study for the I-70 and SR 39 – Exit 59 intersection and the current plans. Greg Steuerwald stated he is working on the Memorandum of Understanding (MOU) for this area. Commissioner Schrier advised he had requested a meeting with Duke Realty to discuss their plans in this area and the need to increase sewer service. Commissioner Schrier further advised that ACE will discuss this issue during the afternoon Regional Sewer Board meeting.

IN THE MATTER OF FAIRGROUNDS

Commissioner Palmer advised that she had met with the Operations Committee for the Hendricks County Fairgrounds.

IN THE MATTER OF HIGHWAY – REPORT

Receipt was acknowledged of the annual Hendricks County Highway Report for 2005. Commissioner Whicker stated there are 817.34 miles of roads in Hendricks County and as of December 31, 2005 all but 0.5 mile is paved. John Ayers advised that this 0.5 mile will be paved this summer making 100% of the Hendricks County roads paved. Commissioner Palmer moved to approve the Highway annual operations report for 2005, as presented, for all three Commissioners, County Engineer and County Auditor to sign this report and to send to the State.. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Schrier requested Mike Graham to work with Cathy Burkert to break down this report more precisely.

IN THE MATTER OF TOWN OF DANVILLE - FIRE STATION

Mike Graham gave the history of the nine acre parcel of land given by the County to the Town of Danville to

establish a new fire station on Shady Lane and US 36, across from Kroger’s, and stated there is an adjacent 2.7 acres that is having bank erosion problems along White Lick Creek, which runs through the property. He further advised that this parcel is in a floodplain and Danville will need to obtain a permit to stabilize this bank. Mr. Graham requested approval from the Commissioners so Danville can go on this property to stabilize the erosion problems and to later consider giving the 2.7 acres to the Town of Danville. Commissioner Palmer moved to sign the paper work to allow Danville to take care of this erosion problem. Commission Schrier seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF EXECUTIVE SESSION

Mike Graham requested the Commissioners look at the list of assignments presented during the morning executive session and determine a priority list

Commissioner Whicker stated the Commissioners; held an Executive Session at 8:00 AM this morning:

*We hereby certify that the only matters discussed during the Hendricks County Board of Commissioners Executive Session on this date, duly published by means of the posted Agenda, were the items listed on said Agenda and no final action was taken.*  
*Hendricks County Board of Commissioners*

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IN THE MATTER OF POLICE MEMORIAL DAY

Commissioner Whicker stated that he had attended the Police Memorial Day Program on Monday, May 15, in the Courthouse Rotunda and read the Commissioners’ Proclamation during the ceremony. Commissioner Whicker also announced that all County flags had flown at half-staff on Monday 15 in memory and honor of all law enforcement officers.

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IN THE MATTER OF COUNTY HOME – COPIER

Receipt was acknowledged of a request from James McBryant for a new small copier for the County Home and a quote was presented from CopyCo. Commissioner Schrier moved to approve the purchase of the small IR1630 copier for the County Home. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF GOVERNMENT CENTER

Receipt was acknowledged of a request from Elvin Cassity, Custodial Superintendent, to again hire Mule Barn Farm to provide landscape mulch at both the Government Center and Courthouse Commissioner Schrier moved to approve Mule Barn Farm to again provide mulch for the landscape. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF COUNTY-WIDE CLEAN-UP

Receipt was acknowledged of a request from Bill Hahn, Clean Water, for approval of employees to assist with the County-wide Clean-up on Thursday, June 8 as a “Community Service Day”. Auditor Nancy Marsh stated the employee handbook clearly states activities of this type must be on the employees own time. The Commissioners took no action as this is clearly defined in the Employee Handbook.

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IN THE MATTER OF COURTHOUSE

Receipt was acknowledged of a request from Steve Scott, Prosecutor’s Office, to use the Courthouse Rotunda on Saturday, June 16 for a small wedding. Commissioner Palmer moved to approve the request from Steve Scott for Courthouse use. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF VEHICLES

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Cathy Grindstaff, Environmental Health Director, has advised that the Sheriff’s 1998 Jeep Cherokee, currently in her department, was hit by a back hoe causing minor damage to the vehicle. Appraisals were provided from Hackelman Auto and M&M Body Shop. Terry Kennard, Sheriff’s Department had stated this vehicle is scheduled for auction and recommended that we not repair this vehicle, but to send to auction as scheduled. Commissioner Schrier moved, on the recommendation of Mr. Kennard, that we take the insurance money and send this vehicle to auction. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF PERSONNEL COMMITTEE

Receipt was acknowledged of a recommendation from the Council to hold the next Personnel Committee meeting after their June 8 Council meeting at 5:30 PM. There was discussion this date and the time was not available. Nancy Marsh stated the Council had selected an alternate date of after the Commissioners’ meeting on Tuesday, June 6 at 3:00 PM. Commissioner Schrier moved to accept the alternate date of Tuesday, June 6 at 3:00 PM for the Personnel Committee meeting. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF HIGH 40 MOBILE HOME PARK

John Ayers referred to the trailer purchased in the High 40 Mobile Home Park and the need for this title. It was for a trailer that the County purchased from Patsy Dugger that was to be demolished and Mrs. Dugger wants to keep the trailer and relocate it in the park. There is no value associated with the trailer. Mr. Ayers stated this trailer park has its own wastewater treatment plant and that he has hired Schneider to monitor this plant as it needs to be in compliance. There are monthly test reports required and John Ayers requested authorization to sign these reports. It was the consensus of the Commissioners for John Ayers to sign the monthly reports on the water treatment plant.

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IN THE MATTER OF ENGINEERING

John Ayers presented a title sheet for execution from R. W. Armstrong for replacement of a culvert on Center Street in Plainfield.

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IN THE MATTER OF HIGHLAND GREEN - ESTRIDGE SECTION 2

John Ayers presented pictures and expressed his concern relative to the very poor curb installation that had been installed in Estridge, Section 2 of the Highland Green Subdivision and stated that a “Stop Work” order had been placed on the curb at the advice of the County Attorney. There was discussion if this was just a cosmetic issue or a structural issue. Commissioner Schrier moved to have the County Engineer and the Plan Director go to this site and do tests on the curbs. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Don Reitz stated these curbs are an embarrassment to the development Commissioner Schrier moved to have John Ayers, Don Reitz, Mike Graham and Greg Steuerwald meet with Estridge representatives to discuss this curb issue and to make sure the “Stop Work” order was placed on the property. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers stated that Plainfield had signed the Interlocal Agreement for the portion of the Ronald Reagan Parkway from north of US Highway 40 to CR 200S that they will be constructing and advised that Attorney Greg Steuerwald had approved the agreement. Commissioner Schrier moved to approve the Interlocal Agreement for the Ronald Reagan Parkway with Plainfield, Commissioner Palmer seconded the motion and the motion was approved

unanimously 3-0-0.

There was discussion of a Memorandum of Understanding with the Town of Plainfield. It was the consensus of the Commissioners for Greg Steuerwald, Mike Graham, Don Reitz and Phyllis Palmer to go to Plainfield and- work with them on the original Memorandum of Understanding for the Ronald Reagan Parkway.

John Ayers advised he was meeting next week with American Consulting on the design fee adjustment for the Ronald Reagan Parkway.

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IN THE MATTER OF METROPOLITAN PLANNING ORGANIZATION - RAPID TRANSIT

John Ayers presented an invoice from the Indianapolis Metropolitan Planning Organization (MPO) in the amount of \$19,183 requesting payment by Hendricks County, based on population proportional contribution, to the local match of the MPO. There was discussion that the Commissioners from the nine counties in the MPO should meet and put them on notice regarding representation on the voting body that approves the Transportation Improvement Plan for the area. Commissioner Schrier moved to have the County Engineer look at including this MPO contribution in his 2007 budget and for John Ayers and Mike Graham to draft a letter to the MPO with a copy to the nine county area requesting to have representation on the MPO. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF OLD FAIRGROUNDS

There was discussion of utilizing Al Bennett, Bennett Associates. It was noted Al Bennett would assist in providing review comments on design of consultants working on the work release and master plan of the old fairgrounds. was the consensus of the Commissioners for John Ayers to follow up with Mr. Bennett on this project.

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IN THE MATTER OF WORK RELEASE

John Ayers advised they had received proposals for the work release and master plan from seven companies.

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IN THE MATTER OF NEW FAIRGROUNDS

Commissioner Palmer questioned if the new fairgrounds entrances off CR 200E and old US Highway 36 would be ready by fair time. John Ayers advised he is working on right-of-way with DLZ and with the Town of Danville on these road/entrance issues.

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IN THE MATTER OF TELEPHONES

John Ayers advised that Paul Johnson, Paul Johnson Associates, had recommended eliminating one of the two Primary Rate Interface (PRI) lines going to the Courthouse based on the telephone “traffic study”. That will save the County at least \$9,000 per year.

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IN THE MATTER OF BOND

John Ayers presented an affidavit for \$3,322.57 from Office Works for cubicle panels and meeting room chairs to be funded from the bond. Commissioner Schrier moved to approve the affidavit for furniture from the bond and to authorize the President to sign. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF TECH BOARD

Receipt was acknowledged of a message from John Parsons, Systems Administrator, advising that he and Doug Morris, Web Master, were in a technical meeting at the new fairgrounds and requested to come in next week, May 23 with some issues for discussion.

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IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence and calendar:

- 1. Town of Avon Undeveloped Lots Report.
- 2. Cummins Behavioral Health Systems, Inc. annual board and staff retreat, May 12 & 13, 2006 in Nashville, IN.
- 3. Countrymark Co-op, Mt. Vernon, IN is involved in inspection or maintenance work along their pipeline which may cross county owned property.
- 4. Hendricks County Department of Health meeting to discuss Pandemic influenza preparedness will be held Tuesday, June 13, 2006, 6:30 p.m. at Danville High School Cafeteria.
- 5. Correspondence from Martha Crosley regarding the presentation at the commissioners meeting by Dr. Dandy Norman D.V.M.
- 6. 15<sup>th</sup> Conference on Societal Issues in Animal Management on Sunday, June 25, 2006 at Purdue University.
- 7. Plainfield Town Council adopted a Declaratory Resolution No. 2006-13 establishing economic revitalization area for the purpose of granting ten (10) year real property tax abatement for Republic Property Company.

Action needed/taken on the following:

- 8. Checks received and signed to the county :
  - a. The Cincinnati Insurance Company \$617.14 (Wind damage to fence)
- 9. Whicker signed vehicle titles for the following: None
- 10. Documents needing action: None

IN THE MATTER OF TORT CLAIM – KINNETT

Receipt was acknowledged of a Tort Claim from Craig, Kelley & Faultless relative to Julie Kinnett for incident of 04-02-06. The original was delivered to Rich Jensen and a copy to Greg Steuerwald.

IN THE MATTER OF ANIMAL SHELTER

Dr. Willis Parker requested the information relative to the Purdue Conference on animal management be sent to the staff at the Animal Shelter.

Commissioner Palmer moved to adjourn the meeting at 12:10 PM. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0

David A. Whicker, President

Phyllis A. Palmer, Vice President

Ed Schrier, Member

ATTEST: \_\_\_\_\_  
Judith Wyeth, Deputy Auditor

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