

July 5, 2006

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Wednesday, July 5, 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
Cindy Spence		Hendricks County Clerk
John Ayers		Hendricks County Engineer
Laura Herzog		Hendricks County Voter Registration Supervisor
Scott Foster		Hendricks County 4-H Youth Educator
Judith Wyeth		Secretary to the Commissioners

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

IN THE MATTER OF MINUTES

Commissioner Palmer moved to approve the minutes of June 27, 2006, as corrected. 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 #156448 thru 156831 as advertised. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLERK’S OFFICE – OPTION ONE COUNTY CONTRACTS

Clerk Cindy Spence presented a memorandum from Secretary of State and an agreement for the completed Statewide Voter Registration System (SVRS or “First Tuesday”) Network Statement of Intent that indicates Hendricks County would be designated as an “Option1” Network County. Laura Herzog explained this agreement is for the state wide voter registration and stated that all 92 counties are participating in this system. Commissioner Schrier moved to approve the voter registration agreement between Hendricks County and the State of Indiana and for all three Commissioners to sign. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXTENSION POSTAGE

Scott Foster came forward to request an additional \$4,500 funding for postage at the Extension Office. There was discussion of the \$8,000 allocated for Extension postage in the Commissioners’ budget line and of the \$7,000 postage appropriation in the Extension budget. Commissioner Schrier moved to approve the Extension to review and transfer \$4,300 from the Extension budget into the Commissioners’ budget. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. The Commissioners directed Mr. Foster to work with Auditor Nancy Marsh.

IN THE MATTER OF EXIT 59

Receipt was acknowledged of the \$5,209.50 statement from Bruce Donaldson, Barnes & Thornburg, for legal services for the Lauth Exit 59 project located at SR 39 and I-70. Commissioner Schrier moved to approve the Bruce Donaldson bill and to notify him to cease all negotiations with Lauth for the project at I-70 and SR 39 until a reimbursement agreement has been approved with Lauth. Commissioner Parmer seconded the motion. There was discussion of reimbursement from Lauth. Commissioner Schrier moved that the Hendricks County Commissioners rescind previous action to work with a Letter of Intent until an agreement is entered into. President Whicker declared

the motion out of order. Commissioner Schrier withdrew his motion. Commissioner Palmer withdrew her second. Commissioner Schrier moved to withdraw support of the Letter of Intent until such time that an agreement is entered into between Hendricks County and Lauth and entities for reimbursement of expenses. Commissioner Palmer seconded the motion and the motion was approved 2-1-0 with Commissioners Palmer and Schrier voting in favor of the motion and Commissioner Whicker voting against the motion.

Commissioner Schrier moved to approve the payment to Bruce Donaldson, Barnes and Thornburg, for legal services in the amount of \$5,209.50 for the I-70 and SR 39 project. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

It was the consensus of the Commissioners for Greg Steuerwald to contact Attorneys Bruce Donaldson and Tim Fraley, Commissioner Schrier to contact owners Lee Comer and Tim Shrout; and Commissioner Whicker to contact Council President Larry Hesson of this action to withdraw support until a reimbursement agreement is signed between Lauth and the County

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IN THE MATTER OF BELLEVILLE CONSERVANCY - GRANT

Receipt was acknowledged of a letter from Beth Goeb, Grant Support Division, stating they had received a copy of the Independent Accountant’s Report, completed by the State Board of Accounts for the Belleville Conservancy District for January 1, 2001 - May 19, 2005. Two copies of the Certificate of Completion (COC) for project PL-99-04, Belleville Conservancy, were included for execution. Commissioner Schrier moved to approve the Certificate of Completion for the Belleville Conservancy and for the President to execute the certificate on behalf of the Commissioners. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0

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IN THE MATTER OF COMMISSIONERS’ 2007 BUDGET

A draft copy of the Commissioners’ 2007 budget was presented. Commissioner Schrier moved to approve the proposed 2007 Commissioners’ budget as presented and to present this budget to the Council on Friday, August 11 at 10:45 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF SYCAMORE SERVICES

Receipt was acknowledged of the proposed 2007 budget for Sycamore Services. Commissioner Schrier moved to request a representative from Sycamore Services be invited to the next joint Commissioner/Council meeting to explain the services offered by Sycamore Services. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF ENGINEERING 2007 BUDGET

John Ayers presented the proposed 2007 budget for the Engineering Department. Commissioner Schrier moved to approve the Engineering budget for 2007, as presented by Mr. Ayers. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF DANVILLE TOWN PROPERTIES

Gary Eakin, Danville Town Manager, was not present to report on the Danville Town Council’s reaction to the appraisal of Danville properties..

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IN THE MATTER OF LONG DISTANCE TELEPHONE USAGE

Auditor Nancy Marsh reported that an employee had excessive long distance telephone usage. It was the

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consensus of the Commissioners for Nancy Marsh and legal counsel contact the department head to resolve this matter.

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IN THE MATTER OF OLD FAIRGROUNDS

A memorandum was presented from Mike Graham relative to insurance coverage for the old fairgrounds stating that Rich Jensen was trying to determine the amount of insurance coverage to place on the buildings. Mr. Graham reported that he had contacted Steve Patterson, Fair Board, and was advised that a commitment had been made from the Fair Board to maintain current insurance coverage on the old fairgrounds until the end of August 2006.

Mike Graham recommended the preparation of an agreement to terminate the lease at the old fairgrounds and to accept the Fair Board commitment to maintain the insurance coverage on the old fairgrounds until the end of August 2006. Rich Jensen advised they would be better able to determine the amount of insurance required for each remaining building at the old fairgrounds by the end of August. It was the consensus of the Commissioners for Greg Steuerwald to work on a lease termination agreement and to accept the Fair Board commitment to maintain the insurance coverage through August 2006. .

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IN THE MATTER OF GOVERNMENT CENTER

Receipt was acknowledged of a price quote of \$14.95 for a wall mounted classroom size 24” X 36” American flag plus \$2.50 for each bracket. Commissioner Palmer moved to purchase classroom size American flags with brackets for the remaining meeting rooms in the Government Center. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF HENDRICKS COUNTY NIGHT - VICTORY FIELD

Commissioner Palmer commended Commissioner Whicker for representing the Commissioners’ office and participating in on field activities during Hendricks County Night at Victory Field on June 29.

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IN THE MATTER OF COUNTY ATTORNEY CONTRACT

Commissioner Schrier moved to approve the 2006 contract for County Attorney Greg Steuerwald beginning January 1, 2006 with change in fees. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF SHERIFF’S DEPARTMENT

Receipt was acknowledged of a citizen complaint against the Sheriff’s Department. It was the consensus of the Commissioners to refer the matter to the County Attorney for review.

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IN THE MATTER OF TECH BOARD

Commissioner Whicker announced there would be no Tech Board today as John Parsons had advised there was no business to come before the Tech Board. The Tech Board will meet on July 18.

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IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers presented a change order for the Ronald Reagan Parkway south of US Highway 40 in the amount of \$23,773.99 and stated this is a federally funded project with the Hendricks County portion being 20% of this amount. Commissioner Palmer moved to approve the change order for the Ronald Reagan Parkway, as presented. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Schrier inquired if a Stop Sign Ordinance is required for a 4-way stop at CR 200N and Ronald Reagan Parkway. John Ayers stated this intersection is now within the Town of Avon and that he will work with

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Avon on this issue.

IN THE MATTER OF BOND

John Ayers presented an affidavit for \$12,812 to CopyCo for two previously approved copiers, Recorder’s Office and Treasurer’s Office. Commissioner Palmer moved to approve and forward the affidavit to the bond bank for consideration of payment. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COURTHOUSE

John Ayers presented a proposal from Pioneer Restoration in the amount of \$6,900 to add lightening rods to the Courthouse due to the number of recent damaging lightning strikes to the building and requested to obtain additional quotes for rods. It was the consensus of the Commissioners to obtain additional quotes for lightening rods for the Courthouse.

John Ayers requested to place the damaged Courthouse stones from the top of the Courthouse on a cement pad near the entrance to the Courthouse. It was the consensus of the Commissioners to review this request.

IN THE MATTER OF WORK RELEASE

John Ayers stated a representative from United Consulting Engineers had requested to accompany the group of elected officials and staff to tour the Evansville work release facility on Thursday, July 6. It was the consensus of the Commissioners that the request is denied.

John Ayers presented a \$1,337 bill from Al Bennett, Bennett Associates, for consulting services on the work release facility. There was discussion if this bill could be paid from the bond. Auditor Nancy Marsh stated she will provide documentation for reimbursement from the bond to accompany the bill. Commissioner Schrier moved to pay the bill for Al Bennett from Special Contracts with the document for reimbursement from the bond. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. Greg Steuerwald advised that not all expenses are reimbursable from the bond.

IN THE MATTER OF CR 50W – LOCAL SR 39 DETOUR

John Ayers presented a letter to Mark Albers, INDOT, relative to the heavy damage sustained on CR 50W due to the local detour from SR 39 while two culverts are being replaced. Mr. Ayers’ letter expressed his disappointment by the lack of concern from the state for the condition of our local roadways and the effect of INDOT projects on them. Mr. Ayers will continue to work with INDOT on this matter.

IN THE MATTER OF CAROLINA COMMONS

Receipt was acknowledged of correspondence from Jeffrey W. Scripture, Harrison Moberly Attorneys, representing Keystone Builders, requesting the County Commissioners to give serious consideration to condemnation of property owned by Mr. and Mrs. Vornholt for right-of-way property for an entrance into the Carolina Commons, Section II development. Commissioner Schrier moved that it is a matter of the developer to resolve entrance issues and that the County does not feel eminent domain applies to this project. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF VEHICLE MAINTENANCE

Commissioner Schrier stated that County vehicles must be taken to Larmer’s for vehicle service as we have an

agreement with them for vehicle maintenance and requested the status of requesting proposals from firms to revisit the vehicle maintenance program. John Ayers stated proposals for vehicle maintenance had been sent and that he would bring recommendations to the meeting next week.

IN THE MATTER OF CORRESPONDENCE AND CALENDAR

Commissioner Whicker acknowledged receipt of the following correspondence and calendar:

- 1. Dam Safety Partnering Workshop, Wednesday, July 27, 2006, Wabash, IN
- 2. Richard G. Lugar Purdue Summit on Energy Security, Tuesday, August 29, 2006 at Purdue University, West Lafayette, IN – registration required.
- 3. Letter from Jay A. Swanbrick, 1940 Abby Lane, Danville, IN regarding Hendricks Regional Health
- 4. Rockies Express Pipeline is proposing a 622 mile pipeline from Audrain County, Missouri to Muskingum County, Ohio. This 42-inch high pressure natural gas line will cross Hendricks County as currently proposed. The Federal permitting process is underway. An open house/community meeting is scheduled for June 29, 2006, 6-8 p.m. Hampton Inn, Plainfield, IN . Their web site is <http://www.rexpipeline.com>, and goes to Rockies Express Pipeline – East for more information.
- 5. Complaints regarding Brighthouse Networks service and billings.

Action needed/taken on the following:

- 6. Checks received and signed to the county:
  - a. Hendricks County Sheriff Jail Commissary Fund \$1,211.48
  - Phone reimbursement
- 7. Whicker signed vehicle titles for the following: None
- 8. Documents needing action: None

Commissioner Palmer moved to adjourn the meeting at 12:00 Noon. 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