

October 17, 2006

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, October 17, 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
Judge Robert Freese		Hendricks County Superior 1 Judge
John Ayers		Hendricks County Engineer
Don Reitz		Hendricks County Plan Director
Michael E. Graham		Administrator to County Commissioners
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 October 3, 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 #160316 thru 160706, #080353 thru 08534 and direct deposit #025444 thru 025729 as presented October 17, 2006 and advertised by the Auditor. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RIETH RILEY

Attorney Greg Steuerwald explained the ruling by Boone County Superior Court 1 Judge Matt Kincaid on the Rieth Riley case and the option to appeal the ruling. Commissioner Palmer moved to appeal Judge Kincaid’s ruling on the Rieth Riley project. Commissioner Whicker seconded the motion. Mr. Steuerwald explained this appeal could cost between \$5,000 and \$10,000 in legal fees. The motion was approved 2-1-0 with Commissioners Whicker and Palmer voting aye and Commissioner Schrier voting nay. Commissioner Schrier explained his reasons for voting against the appeal.

IN THE MATTER OF DANVILLE PROPERTIES

Commissioner Whicker advised he had met with representatives from the Danville Town Council relative to the Danville Square properties. Mike Graham reported that Danville is looking to have a study prepared to garner the opinions of the Danville residents for redeveloping the downtown area. It was the consensus of the Commissioners that Commissioners Whicker and Mike Graham meet again with representatives from Danville.

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

Commissioner Schrier reported the Memorandum of Understanding (MOU) for Exit 59 has not been finalized and they are still working with Bruce Donaldson, Barnes and Thornburg. Mr. Schrier also noted that Indiana Department of Environmental Management (IDEM) had approved a ninety-day extension for the Miller’s proposed sewer treatment plant

Commissioner Schrier announced a joint Drainage Board meeting with the Morgan County Commissioners and Hendricks County Commissioners in Lucille Sadler Conference Center, Martinsville on October 27 at 8:00 AM.

Don Allen, citizen, questioned the size of the proposed sewer plant. Commissioner Schrier explained the EDU and

stated this sewer issue will be discussed during the Regional Sewer Board today.

IN THE MATTER OF AGENDA

Receipt was acknowledged of a phone call from Diana Robinson requesting to come in October 24 to discuss the old iron bridge on the Hendricks/Putnam County Line Road.

It was stated the presentation for postage would not be made today.

IN THE MATTER OF ADDRESSING

Mike Condre, Schneider Corporation, gave a brief presentation on the 911 addressing and made a recommendation on how the addressing system should be maintained. There was discussion of maintaining the addressing with an addressing coordinator position and a 911 position in the Sheriff’s Department to work with the GIS task force to coordinate, maintain and combine the County’s addressing. It was the consensus of the Commissioners to continue the addressing issue to the next meeting in order to have time to review the information presented.

IN THE MATTER OF 2-1-1

Susie Friend, United Way, presented the new Hendricks County 2006 Health and Human Services Resource Guide and requested a proclamation to proclaim Thursday, October 26, 2006 as United Way 2-1-1 Day in Hendricks County. Commissioner Whicker read the following proclamation:

**PROCLAMATION  
UNITED WAY 2-1-1 DAY IN HENDRICKS COUNTY**

*WHEREAS, thousands of Hendricks County citizens have a need to access a variety of human and social service needs each day, ranging from appropriate childcare to affordable housing, support for a homebound parent, to food or crisis counseling for teen parents; and*

*WHEREAS, thousands of different local, regional and statewide organizations in Indiana, both public and private, provide services that respond to these needs; and*

*WHEREAS, the process of connecting those living and working in Hendricks County with needed services can be simplified by the use of 2-1-1 services; and*

*WHEREAS, Hendricks County recognizes that its citizens will benefit from the more accurate and timely information about needs and resources around the county that is collected by 2-1-1 services;*

*NOW, THEREFORE, the Hendricks County Board of Commissioners do hereby proclaim Thursday, October 26, 2006 to be*

**UNITED WAY 2-1-1 DAY IN HENDRICKS COUNTY**

*and ask all citizens to join us in this observation. In testimony whereof, we hereunder set hand and cause to be affixed the seal of Hendricks County on this 17<sup>th</sup> day of October, 2006.*

*David A. Whicker, President  
Phyllis A. Palmer, Vice President  
Ed Schrier, Member*

Commissioner Palmer moved to approve the proclamation for Thursday, October 26, 2006 as 2-1-1 Day in Hendricks County, as presented. Commissioner Schrier seconded the motion and requested Ms. Friend to add the County Home to the housing list in future United Way publications. The motion was approved unanimously 3-0-0.

Ms. Friend encouraged a Commissioner to attend the October 26 ceremony at 11:45 AM at the Day Nursery Association facility located on the Clarian West grounds.

IN THE MATTER OF SUPERIOR COURT 1 – JURY CHAIRS

Judge Robert Freese, Superior Court 1, presented a request to purchase 17 new chairs for the jury room at a cost of \$1,981.35. Commissioner Palmer moved to approve the request for 17 new jury room chairs for Superior Court 1, as requested by Judge Freese. Commissioner Schrier seconded the motion and the motion was approved unanimously

IN THE MATTER OF TECH BOARD

Commissioner Whicker announced that John Parsons had advised him there was nothing to come before the Tech Board today. It was the consensus of the Commissioners to cancel the Tech Board today.

IN THE MATTER OF APPEAL

Auditor Nancy Marsh announced the receipt of notice for the appeal hearing and stated the time and date will be 10:10 AM on Thursday, November 9 at the Indiana Government Center South Conference Center – Room 1. Mike Graham encouraged elected officials to make personal contact with our legislators and to send letters to the Governor. It was the consensus of the Commissioners to send a letter to Governor Daniels stating the support of the Commissioners for this appeal. Commissioner Palmer volunteered to set up a meeting with Representative Robert Behning and Commissioner Whicker volunteered to meet with Senator Connie Lawson and Representative Jeff Thompson. Representative Matt Whetstone will also be contacted. It was the consensus of the Commissioners that all Commissioners and Council members should attend this appeal hearing.

IN THE MATTER OF VEHICLES

Terry Kennard, Sheriff’s Department, inquired the status of the Expo Hall at the fairgrounds and again requested this building for a garage for the Sheriff’s Department.

Terry Kennard advised he had received requests for replacement cars from prosecutor, environmental health, coroner and emergency management and requested to purchase two new sedans at a cost of \$30,000. Commissioner Schrier moved to approve \$30,000 to purchase two new sedans. Commissioner Palmer seconded the motion and stressed the need to complete a comprehensive study to see if some County cars could be used in a car pool. The motion was approved unanimously 3-0-0.

IN THE MATTER OF EMPLOYEE HEALTH INSURANCE

Mike Graham reported that Jeff Fox and he had talked to the Council regarding the Insurance Committee and it was the consensus of the Council that the insurance issue of employee contributions should be discussed by elected officials and that the Commissioners and Council can talk about the employee contribution levels at the Personnel Committee. It was the consensus of the Commissioners to discuss the insurance issue at the Personnel Committee.

Mike Graham reported the Wellness Program has started and the need to provide an incentive which is a disincentive for persons who do not participate. Mr. Graham stated the Council has agreed the incentive proposal will be a deductible for participating employees of \$100 and for non-participating the deductible will be \$500 for single policy members and that the family deductibles will be \$300 for participating employees and \$800 for non-participating. Commissioner Palmer moved to endorse the wellness deductible incentive as presented and approved by the Council. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CHRISTMAS HOME TOUR

Receipt was acknowledged of a request from Deanna Hindsley, to include the Courthouse, Government Center and Museum on their fourth annual Magic of Christmas Home Tour on Saturday, December 9 from 5-8 PM. They would like to again have Santa greeting children in the rotunda for pictures. This tour is sponsored by the Danville merchants and the Danville Chamber of Commerce with all proceeds going to the Hendricks County Museum. It

was the consensus of the Commissioners to approve the request to include the Courthouse, Government Center and Museum on the Christmas home tour.

IN THE MATTER OF EMPLOYEE CHRISTMAS LUNCHEON

There was discussion of the employee Christmas luncheon. It was the consensus of the Commissioners to continue this discussion to next week.

IN THE MATTER OF DONATION BOXES IN THE EMPLOYEE LOUNGE

A request was acknowledged from Chris Cloud, Reassessment, to place a box in the employee lounge to collect donations for the Hendricks County Food Pantry. Commissioner Whicker moved to allow a box in the lounge for the food pantry. The motion died for lack of a second and no action was taken.

A request was acknowledged from Julie Richards, Healthy Families to send an email to all employees notifying them of a box in the employee lounge for collection of items for Christmas for the families they assist. Commissioner Whicker made a motion to allow a collection box and email for Healthy Families for donations for Christmas. The motion died for lack of a second and no action was taken.

IN THE MATTER OF MASTER PLAN

John Ayers explained the layout presented in the Master Plan for the fairgrounds. There was discussion of the request from the Sheriff’s Department for use of the Expo Hall. Commissioner Schrier moved to request a proposal from the Sheriff’s Department for the Expo Hall and current jail garage including use and funding. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Al Bennett, Bennett Associates, explained the 100 foot power line easement that runs through the fairgrounds. Commissioner Palmer moved to adopt the Master Plan, as presented by the consultants. Commissioner Whicker seconded the motion. It was stated the animal shelter has been shown on two properties as an option. The motion was approved 2-1-0 with Commissioners Whicker and Palmer voting aye and Commissioner Schrier voting nay.

IN THE MATTER OF ANIMAL SHELTER

John Ayers presented the proposal from Grinsfelder Architects & Associates for the proposed new animal shelter and stated they have met with the architects to clarify several issues including reimbursable. Commissioner Whicker moved to accept the proposal fee from Grinsfelder Architects & Associates for design of the new animal shelter for Hendricks County. Commissioner Palmer seconded the motion and the motion was approved 2-1-0 with Commissioners Whicker and Palmer voting aye and Commissioner Schrier voting nay.

IN THE MATTER OF PROBATION

John Ayers advised that Todd McCormack, Director Superior Court Adult Probation, had stated we could remodel the basement of the current probation building for additional space for staff. Mr. Ayers stated that he and Bob Carroll, Engineering, will look at the basement as a possibility to resolve office space issues for Adult Probation.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers reported the Circuit Court findings and judgment for the M. C. Dugger 0.394 acres in the right-of-way on the Ronald Reagan Parkway as stated in the October 6, 2006 letter from Attorney Daniel F. Zielinski. Mr. Ayers stated he agreed with the recommendation of Mr. Zielinski to settle and execute the document for this parcel. Commissioner Schrier moved to approve the action for the Dugger parcel and to authorize the President to execute on

behalf of the Commissioners. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TENTH STREET

John Ayers stated he had received a letter from the Town of Avon advising they were doing a corridor study for Tenth Street.

IN THE MATTER OF BRIDGE NO. 231

John Ayers presented his letter of October 12, 2006 to American Consulting listing 19 concerns relative to Bridge No. 231 on Gable Crossing Drive located behind the Wal-Mart in Avon.

IN THE MATTER OF BRIDGE NO. 178

John Ayers presented a letter to James J. Hebenstreit, Division of Water, relative to Bridge No. 178 over W. Fork White Lick Creek, the old iron bridge behind Kroger’s in Danville, requesting the permit be increased from two years to five years.

IN THE MATTER OF LIABILITY INSURANCE

Receipt was acknowledged of correspondence from Ken Krohne, Hometown Insurance, to quote the County’s liability insurance. It was the consensus of the Commissioners to add liability insurance to the October 24 agenda.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the October 16, 2006 Highway report from Martin Summers.

IN THE MATTER OF FAIRGROUNDS

John Ayers reported the fairgrounds auction on September 29 netted \$6,921.48.

IN THE MATTER OF GLOBAL SIGNAL

Receipt was acknowledged of September 29, 2006 correspondence from Global Signal relative to Site #114340/3028623 requesting to purchase the easement rather than lease the easement at this site located at the Highway garage. It was the consensus of the Commissioners to refer this matter to attorney Greg Steuerwald.

IN THE MATTER OF EXECUTIVE SESSION

Commissioner Whicker acknowledged the Executive Session this morning at 8:30 AM and stated:

*We hereby certify that the only matter 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*

*David A. Whicker, President*  
*Phyllis A. Palmer, Vice President*  
*Ed Schrier, Member*

Commissioner Whicker stated an Executive Session was needed for next week to discuss personnel issues. It was the consensus of the Commissioners to hold an Executive Session at 1:00 PM on Tuesday, October 24 to discuss personnel issues.

IN THE MATTER OF CORRESPONDENCE AND CALENDAR

Commissioner Whicker acknowledged receipt of the following correspondence and calendar:

Correspondence:

- 1. Hendricks County Planning Open House for reviewing the Draft Comprehensive Plan on Tuesday, October 17, 2006, 6:30-8:30 p.m., Plainfield Public Library
- 2. Global Signal interested in purchasing a long-term interest from the county the ground underneath the tower as part of their Easement Purchase Plan.

- 3. Charter Communication correspondence as notice of the Company’s intention to terminate its existing franchise agreement and to file its application with the Indiana Utility Commission for a state issued Certificate of Franchise Authority for its service area in our community. (Refer to Greg Steuerwald)
- 4. Notice from IDEM to Waste Management of Indiana LLC of Insignificant Modification Proposal. (Refer to Greg Steuerwald)
- 5. Notice from IDEM to Mr. Gary Baldauf for approval of the Request for Approval Voidance, Confined Feed Operation.
- 6. Notice from the Greater Indianapolis Chamber of Commerce on the Infrastructure task Force that only one commissioner be appointed to the task force.
- 7. Notice from DNR to Danville Conservation Club regarding the poor condition of the dam that impounds a lake located on the property. The Danville Conservation Club leases the property from Hendricks County and according to DNR the Conservation Club is responsible for the maintenance of the dam. (Refer to Greg Steuerwald)

Action needed/taken on the following:

- 1. Checks received and signed to the county:                      None
- 2. Whicker signed vehicle titles for the following:                      None
- 3. Documents needing action:    None

Commissioner Schrier moved to adjourn the Commissioner’s meeting at 12:20 PM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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David A. Whicker, President

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Phyllis A. Palmer, Vice President

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Ed Schrier, Member

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

