

May 15. 2007

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, May 15, 2007, 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
Martin Summers		Hendricks County Highway Superintendent
James McBryant		Hendricks County Home Administrator
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 BIDS

Commissioner Whicker announced that receipt of bids for the road improvements project at the fairgrounds for CR 200E and East Main Street in Danville. Commissioner Schrier moved to close receipt of bids for CR 200E and Main Street, as advertised. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. John Ayers stated two bids had been received.

IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve claims #168268 thru 168614, #083493 thru 083689 and direct deposit #030064 thru 030394 as presented May 15, 2007 and as advertised. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MINUTES

Commissioner Palmer moved to approve the minutes of May 9, 2007, as corrected. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Commissioner Schrier stated he had talked with Mark Sanders, a property owner of SR 39 and I-70 – Exit 59, and he had indicated there may be a closing in June, 2007.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers announced a public informational meeting for the Ronald Reagan Parkway to Boone County that will be held on May 23 at 6:30 PM in the Zionsville West Middle School.

Commissioner Whicker requested Mike Graham to follow-up with Avon, Brownsburg, and Plainfield on their appointment to the Ronald Reagan Parkway Funding Task Force before the June 1, 2007 deadline.

John Ayers presented a revised letter to the Avon Town Council relative to the 5-ton weight limit signs they have posted on the Ronald Reagan Parkway and requesting that they amend their existing weight limit ordinance to exclude the Ronald Reagan Parkway. It was the consensus of the Commissioners to execute the letter to the Avon Town Council, as presented.

Receipt was acknowledged of a notice from American Structurepoint, Inc. stating they had been selected to prepare a route survey for the Ronald Reagan Parkway.

IN THE MATTER OF WORK RELEASE FACILITY

John Ayers advised the bids for the work release facility would be opened Tuesday, May 22, 2007 at 9:30 AM.

IN THE MATTER OF ANIMAL SHELTER

John Ayers stated the bids for the animal shelter would be opened on Tuesday, June 5, 2007 at 930 AM.

Louise Ross, Humane Society, stated the reimbursement check for the architect to the County from the Humane Society would be sent when the sealed plans are received.

Red Bledsoe, B & S Kennels, came forward to express several concerns about the proposed animal shelter plans. John Ayers responded to the concerns. Mr. Bledsoe presented a list of these concerns. The Commissioners requested John Ayers and his staff review these concerns. Commissioner Whicker said the plans for the animal shelter had been submitted for bid and bids would be opened June 5, 2007.

IN THE MATTER OF FAIRGROUNDS - CR 200E AND MAIN STREET
ROAD IMPROVEMENTS PROJECT

Commissioner Whicker announced it was 10:00 AM and bids would be opened for road improvements for the Hendricks County 4-H Fairgrounds and Conference Complex on CR 200E and Main Street. John Ayers opened the following bids:

Harco Paving	\$752,478.27
Rieth-Riley Construction Company	\$699,000.00

The Commissioners directed the Engineering Department to take theses two bids under advisement, for staff to review and bring back a recommendation next week.

IN THE MATTER OF GU-080 – BRIDGE NO. 229

John Ayers stated bids received last week for GU-080 – Bridge No. 229, located on CR 1025E over Rail Run Creek in Guilford Township, had been reviewed and recommended Trisler Construction as they were the lowest bid received. Commissioner Palmer moved to accept the Engineer’s recommendation to accept the bid from Trisler Construction for GU-080 – Bridge No. 229, as the lowest and most responsive bid received. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF GU-043

John Ayers stated all bids received for culvert GU-043, located on CR 625E (Center Street) over Ditch in Guilford Township, were over the estimate and advised they would like to make some changes to the plans and re-bid this project. Commissioner Schrier moved to accept John Ayers’ recommendation to make changes in the plans for GU-043 and re-bid for a June 12, 2007 bid opening. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ROBERT GROOVER

Robert Groover, Pittsboro, came forward to complain about a racing business being run in his neighborhood, which is a single family residential district. Mr. Groover gave a brief history of this activity and violations of this neighbor, which causes excessive noise and traffic. Don Reitz explained the County’s actions with this neighbor stating he had been fined, required to obtain a building permit, that his request for a Special Exception for this business had been denied by the Board of Zoning Appeals and this decision had been upheld in Court. The neighbor has stated this is a personal hobby and not a business. Greg Steuerwald explained the legal process and stated this is

now a civil matter between the neighbors.

IN THE MATTER OF HARVEY SHUTTE

Harvey Shutte, 6929 E CR 150S, requested assistance in removal of a neighbor’s home that was severely damaged by fire in August 2006 that has become an eyesore and rodent infested. Don Reitz explained the County ordinances and agreed to work with Mr. Shutte and the County Attorney.

IN THE MATTER OF WASHINGTON TOWNSHIP WAGE COMMITTEE

Greg Steuerwald stated he had received a request from Ronnie Austin, Washington Township Trustee, for an appointment to the Washington Township Wage Committee for the Avon Community Building and further stated they had a meeting scheduled for June 21. Mr. Steuerwald also advised that the Commissioners previous appointment to the Washington Township Wage Committee had been Richard P. Myers and stated he had left a message for Mr. Myers requesting him to serve. Commissioner Schrier moved to approve the request to appoint Rick Myers to the Washington Township Wage Committee, subject to his acceptance. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Palmer moved to recess the Commissioners’ meeting at 10:30 AM. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TECH BOARD

Commissioner Whicker opened the Tech Board at 10:30 AM. John Parsons, Systems Administrator, joined the meeting.

John Parsons presented a request from Rae Etta Burke, Guilford Township Assessor, for two new computers that would be compatible with the new software in the County Assessor’s office. Mr. Parsons stated the two computers would cost \$3,200 and could be funded from the Commissioners’ equipment line. Commissioner Palmer moved to approve the purchase of two new computers for the Guilford Township Assessor, as requested. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

John Parsons acknowledged receipt of a request from Bill Roche, Park Superintendent, for two new computers for the new Park Department Office in the Multiplex Building and stated there were funds in the Park’s 2007 budget. Commissioner Palmer moved to approve the IT Department to order two computers for the Park Department and for payment be made from the 2007 Park Department budget. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

John Parsons stated he had received a request form the Museum staff for two old County computers for use in the Museum office. Commissioner Palmer moved to authorize Mr. Parsons to donate a couple retired County computers to the Historical Society. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

John Parsons reported the conversion to the AT&T email system is now completed and the email is fully operational.

Commissioner Palmer moved to adjourn the Tech Board at 10:38 AM. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker reconvened the Commissioners’ meeting at 10:40 AM.

IN THE MATTER OF EXCHANGE OF PROPERTY

Commissioner Whicker stated he had received a call from Dennis Dawes, Hendricks Regional Health, relative to

the letter he received about exchange of property and questioned if it was a definite no or if it was a maybe for the possible exchange of Highway Garage property and the Ford dealership property at a later date. Commissioner Whicker moved that the intent of the decision of no interest meant that the County was no longer interested in the exchange of the property discussed. Commissioner Palmer seconded the motion and the motion was approved 2-0-1 with Commissioners Whicker and Palmer voting aye and Commissioner Schrier abstaining.

IN THE MATTER OF FRANK GIBBS, JR.

Commissioner Whicker acknowledged receipt of a request from Frank (Beezie) Gibbs, Jr. to mow and clean up the roadside along a portion of Cartersburg Road. The matter was discussed with Martin Summers, Highway Superintendent, and he agreed to have the Highway Crew mow the County right-of-way of Cartersburg Road.

IN THE MATTER OF CR 200N

Commissioner Palmer acknowledged receipt of a citizen concern of a drainage problem on CR 200N. John Ayers stated this may be in the Town of Avon. It was the consensus of the Commissioners to refer this problem to the County Engineer to determine the proper department to resolve this matter.

IN THE MATTER OF GOVERNMENT CENTER DRAINAGE PROBLEM

John Ayers stated he had just been made aware of a drainage problem south of the south parking lot of the Government Center and that he will look at ways to resolve this problem.

IN THE MATTER OF PICTOMETRY

Mike Graham presented a Pictometry Proposal for the 2008 flight and explained the two options for payment by the different entities. There was discussion of funding this project.. Commissioner Palmer moved to adopt Option 1 as proposed by Mr. Graham to do the 2008 flight for Pictometry and pay as stated. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF UNITED WAY

Mike Graham presented a request from United Way to place boxes in County buildings to collect school supplies for kids. This campaign is called Back Pack Attack and United Way requests to place collection boxes in various locations during the month of July to collect school supplies. Commissioner Schrier moved to deny the request for collection boxes on County property. Commissioner Palmer seconded the motion and the denial was approved 2-1-0 with Commissioners Schrier and Palmer voting in support of the denial and Commissioner Whicker voting nay.

IN THE MATTER OF EMERGENCY MANAGEMENT ADVISORY COMMITTEE

Commissioner Whicker stated the Emergency Management Advisory (EMA) Committee met on May 10, 2007 and are now officially organized with County Council Member Jay Puckett, Chairman; Danville Superintendent of Public Works Rob Roberts, Vice Chairman; and Hendricks County Jail Matron Megan Morgan, Secretary.

IN THE MATTER OF SHOAL CREEK

John Ayers explained the island in the entrance to Shoal Creek and the need to repair/replace the curb for this island that is wooden beams. Commissioner Schrier moved to divide the cost of new concrete curbs 50/50 with the Homeowners Association and that the Homeowners Association trim the trees in this island at their cost, but trim to County standards. The estimated cost of the curb is \$10,500. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF AVON ROAD FUNDING

John Ayers advised he had reviewed the Avon Road funding issue, gave a handout including a brief history and summary of the project including the actions of the previous Board of Commissioners. Commissioner Schrier moved to honor the decision of previous Commissioners to give credit of \$11,000 to Avon and to bill for the remainder in the amount of. \$97.250. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF INSPECTIONS GU-043

John Ayers presented a standard agreement for professional services from Crawford, Murphy & Tilly, Inc. for inspection services for culvert GU-043, located on CR 625E (Center Street) over Ditch in Guilford Township, in the amount of \$11,280. Commissioner Palmer moved to approve the recommendation of the County Engineer for inspection services of culvert GU-043 and execute the agreement in the amount of \$11,280. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF INSPECTIONS GU-080 - BRIDGE NO. 229

John Ayers presented a standard agreement for professional services from Crawford, Murphy & Tilly, Inc. for inspection services for culvert GU-080 and construction of Bridge No. 229, located on CR 1025E, in the amount of \$13,615. Commissioner Palmer moved to approve the recommendation of the County Engineer for inspection services of Bridge No. 229 and sign the agreement in the amount of \$13,615. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MULTIPLEX

John Ayers stated the renovation of office space in the Multiplex is almost complete and the Parks Department is starting to move in. They have also provided most of the furniture for the Regional Sewer when that office moves in.

IN THE MATTER OF JUVENILE PROBATION

John Ayers stated the renovations to the Bank Building for the Juvenile Probation should be finished within three weeks and the Juvenile Probation Department can then begin to move into this space.

IN THE MATTER OF RENTAL HOUSE

John Ayers explained that the renter has moved out of the County rental house located in the right-of-way of the Ronald Reagan Parkway and has left a considerable amount of things in the house. Mr. Ayers stated there are many baby items and toys including games, which are in very good condition, and requested to contact a charitable organization to donate these items. It was the consensus of the Commissioners to donate any items left in the house to a worthy charitable organization.

IN THE MATTER 56TH STREET

John Ayers advised he has not received a response from the Town of Brownsburg relative to an agreement on possible annexation of 56th Street. It was the consensus of the Commissioners to send a letter to the Town of Brownsburg on this matter.

IN THE MATTER OF PARKS

Receipt was acknowledged of an alcohol policy for Hendricks County Parks that has been adopted by the Hendricks County Park Board. A copy of the policy was sent from Park Superintendent Bill Roche. It was the consensus of the Commissioners to have Rich Jensen review this policy.

IN THE MATTER OF COUNTY HOME

James McBryant presented a request from the Center Township Trustee to admit Richard David Morgan and recommended this individual be admitted to the County Home on a temporary basis. Commissioner Schrier moved to approve the temporary residence of Richard Morgan, as recommended by James McBryant. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

James McBryant advised that members of the Kappa Delta Phi Sorority would be volunteering to redecorate some of the rooms in the County Home.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the May 7 to May 11, 2007 Human Resources report from Ron Love, Director

.IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the Highway report of May 4 through May 10, 2007 from Martin Summers, Highway Superintendent.

IN THE MATTER OF PARTNERSHIP FOR WATER QUALITY

Receipt was acknowledged of the note of appreciation from Christine Curtis, Education Coordinator Hendricks County Partnership for Water Quality, for being one of the sponsors for Earth Day 2007.

IN THE MATTER OF DOWNTOWN DANVILLE VISION

Gary Eakin, Danville Town Manager, announced the May 22 meeting of the Downtown Vision to study the Town of Danville. The meeting will be held in the Danville Christian Church at 7:00 PM.

IN THE MATTER OF LEGAL ISSUES

Greg Steuerwald gave a brief update on several pending legal issues.

IN THE MATTER OF WHITESTOWN

Greg Steuerwald advised that the Town of Whitestown has now omitted Hendricks County from their annexation boundaries and requested to dismiss this case. It was the consensus of the Commissions to dismiss the case with Whitestown, per recommendation of Greg Steuerwald.

IN THE MATTER OF BIDS

Greg Steuerwald announced in order to eliminate confusion that all future bids should be submitted to the to the Deputy Auditor in the Commissioners’ Office rather than to the Auditor’s Office on the second floor and that he will talk with John Ayers that this location be included in all future Notice to Bidders.

IN THE MATTER OF CORRESPONDENCE AND CALENDAR

Commissioner Whicker acknowledged receipt of the following correspondence and calendar:

1. Cummins Behavioral Health Systems, Inc. Board of Directors meeting, Thursday, May 17, 2007, Board Conference Room, Avon, IN 7:00 p.m.

Action needed/taken on the following:

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| 1. Check received and signed to the county. | |
| 2. Whicker signed vehicle titles for the following: None | |
| 3. Documents needing action: | |
| a. Cincinnati Companies – Change Rider | Sheriff’s Department, Gerald Lee Woodard |
| b. Cincinnati Companies | Sheriff’s Department, John Poinke \$10,000 |
| c. Cincinnati Companies – Change Rider | Sheriff’s Department, John Phillips |
| d. Cincinnati Companies | Sheriff’s Department Bond, Stephen Marshall \$10,000 |
| e. Cincinnati Companies | Animal Control Bond, Lisa Hutcheson |
| f. Cincinnati Companies | Sheriff’s Department Bond, Delbert Clevenger \$10,000 |
| g. Cincinnati Companies | Sheriff’s Department Bond, Joseph Myers \$10,000 |
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Commissioner Palmer moved to adjourn the Commissioners’ meeting at 11:35 AM. 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

