

May 22, 2007

The Hendricks County Board of Commissioners met in regular session at 9:35 AM on Tuesday, May 22, 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
Ron Love		Hendricks County Human Resources Director
Judith Wyeth		Secretary to the Commissioners

Commissioner Whicker opened the meeting and led the Pledge to the Flag in unison.

IN THE MATTER OF BIDS

Commissioner Whicker announced it was 9:35 AM and requested that bids be closed. Commissioner Schrier moved to close bids at 9:35 AM for the Work Release Facility and for the horse barn at the 4-H Fairgrounds and to acknowledge receipt of those bids received. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF THE WORK RELEASE FACILITY

John Ayers opened the following six bids.

<u>Bidder</u>	<u>Brandt</u>	<u>Summit</u>	<u>R. L. Turner</u>	<u>Jungclaus-Campbell</u>	<u>McDougall</u>	<u>Gilliatte</u>
Base	4,183,460	4,196,263	4,449,000	4,444,400	4,295,000	4,337,000
Alt #1	- 17,014	- 16,200	- 22,100	- 20,000	- 22,000	- 38,000
Alt #2	- 104,000	- 104,000	- 104,000	- 94,000	- 104,000	- 13,000
Alt #3	- 6,000	- 1,900	- 7,100	- 3,000	- 5,000	- 8,200
Alt #4	+ 15,742	+ 15,500	+ 16,900	+ 19,000	+ 15,629	+ 17,400
Alt #5	+ 805	+ 700	+ 770	+ 1,500	+ 800	+ 825
Alt #6	+ 89,485	+ 84,000	+ 94,750	+ 113,000	+ 78,000	+ 78,000
Alt #7	+ 40,763	+ 38,300	+ 43,200	+ 42,000	+ 40,470	+ 35,000
Alt #8A	+ 70,800	+ 66,500	+ 75,000	+ 73,000	+ 70,290	+ 83,000
Alt #8B	+510,615	+ 494,000	+ 540,800	+ 528,000	+ 506,000	+ 250,000
Alt #9	+ 7,986	+ 14,700	+ 12,700	+ 14,000	+ 14,000	+ 9,800

John Ayers stated the engineer's base estimate was \$4,133,975. It was the consensus of the Commissioners to refer these six bids to staff for review and to bring back a recommendation on June 5, 2007.

It was the consensus of the Commissioners to hold a groundbreaking ceremony for the work release facility on Tuesday, June 26 at 1:00 PM.

IN THE MATTER OF HORSE BARN AT 4-H FAIRGROUNDS

John Ayers opened the following bid for the horse barn at the 4-H Fairgrounds

Bruce Williams	\$2,000 with request to remove after August 15, 2007
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It was the consensus of the Commissioners for John Ayers to talk with this bidder to determine if the horse barn could be removed within the necessary time frame in order to start construction of the work release facility.

IN THE MATTER OF RECOGNITION – KEVIN HYDE

Commissioner Schrier introduced Kevin Hyde, Brownsburg Policeman, and presented him with a certificate for his efforts to reach out to a homeless man in the Brownsburg area. Commissioner Schrier read an article from the *Hendricks County Flyer* of Mr. Hyde's actions and compassion for providing this individual with sleeping bag, clothes, food and overnight accommodations at a local motel were above and beyond the call of duty. Kevin Hyde's

name will be added to the Citizen’s Recognition Plaque that hangs in the front hall of the Government Center.

IN THE MATTER OF MINUTES

Commissioner Schrier moved to approve the minutes of May 22, 2007, as corrected. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

There were no claims presented or advertised for May 22, 2007.

IN THE MATTER OF EXIT 59

Commissioner Whicker stated the Board of Zoning Appeals Public Hearing for the rezoning of the Cochran property in located in Liberty Township for the wastewater treatment plant for Exit 59 was held May 21, 2007 and was approved with a time frame of five years to be completed.

Commissioner Schrier stated he had met with Mark Sanders, property owner at Exit 59, and he was advised the investors are looking at a parcel on the north side of I-70 and west of SR 39.

Mike Graham advised of a telephone call from Dennis Dectow, Lauth, stating that GE has sent in their underwriters for Exit 59 and they are hopeful of a July closing.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers gave an update on the various sections of the Ronald Reagan Parkway and of a meeting with a representative from Congressman Buyer’s office on June 1 and requested that a Commissioner attend. Mr. Ayers also stated they have started hauling fill for the I-74 interchange. A Public Information Meeting will be held as part of the Environmental Assessment for the Ronald Reagan Parkway north of 56th Street o I-65 in Boone County. This meeting will be May 23, 2007 in Zionsville.

Mike Graham reported he had received notice of appointments to the Financial Task Force for the Ronald Reagan Parkway from Avon of Greg Zusan and Tom Klein and from Plainfield of Bill Kirchoff and Don McGillem, however, names have not been received from Brownsburg.

IN THE MATTER OF ANIMAL CONTROL

John Ayers explained an email he had sent in response to concerns expressed during the Commissioners’ May 15, 2007 meeting and of the previous decisions made by the Board of Commissioners, which resulted in the current animal control design. Red Bledsoe, B & S Kennels, presented several drawings of suggested changes. John Ayers stated he was meeting with Mr. Bledsoe today to discuss his concerns.

IN THE MATTER OF POLICY MANUAL - SHERIFF

Nancy Marsh presented an amendment to the Hendricks County Employee Policy Manual which was approved by the Personnel Committee on March 23-2005, but has never been signed by either the Commissioners or the Council relative to pay out of Merit Deputies. Commissioner Schrier moved to ratify the previous action of the Personnel Committee and approve the Amendment to the Hendricks County Employee Policy Manual page 9 for Merit Deputies. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SCHOOL SUPERINTENDENT

Nancy Marsh presented the annual report to the Superintendent of the State Department of Public Instruction. Commissioner Schrier moved to approve and sign the annual report to the Superintendent of Public Instruction, as

presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF 4-H FAIRGROUNDS ROADS PROJECT
CR 200N AND MAIN STREET

John Ayers reported on the two bids received last week for the Hendricks County 4-H Fairgrounds and Conference Complex Roads Project for CR 200N and Main Street and recommended Reith Riley as they were the lowest bid submitted. Mr. Ayers explained that originally there was \$300,000 from Wheel Tax and \$200,000 from the Fairgrounds Bond Issue set aside to do this road project, however, due to the high cost of right-of-way we will need to request an additional \$520,000 from the Council to cover the bid amount plus 10% contingency for the construction of this road project. Commissioner Schrier moved to award the bid for the 4-H Fairgrounds road improvements to Reith Riley as the lowest most responsive and responsible bid received and to authorize the President to sign the contract on behalf of the Commissioners. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ZA-379.07: ACCESS SELF-STORAGE OF HEARTLAND CROSSING, LLC
ORDINANCE 2007-08

Don Reitz presented ZA-379/07 Access Self-Storage of Heartland Crossing, LLC, a request to change the zoning classification from GB/General Business District, to RSS/Regional Support Services District, for 24.419 acres in Guilford Township, located at the southeast corner of Union Mills Road and Prosperity Circle, more commonly known as 8969 Union Mills Road, Camby, Indiana. Mr. Reitz stated the Plan Commission held a public hearing for this zoning request on May 8, 2007 and sends this with a favorable recommendation of 5-0-1. Commissioner Schrier moved to approve the request of ZA-379/07 Access Self-storage of Heartland Crossing, as recommended by the Plan Commission, as Ordinance 2007-08. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TSA01-07: CHAPTER 6 STREET DESIGN
ORDINANCE 2007-09

Les a Wagner, Planner, presented TSA01/07: Amendment to Hendricks County Subdivision Control Ordinance by amending Chapter 6, Street Design Standards and Street Improvements, Section 6.02, 6.03 (7), 6.03 (Table 6-1), 6.03 (7), 6.03 (TABLE 6.1), 6.03 (15a) , 6.04 (Table 6.6) and 6.08 (Table 6-7 & 6-8) Street Classifications, and explained this is change is to make the terminology in the ordinance more consistent. The Plan Commission held a public hearing on May 9, 2007 for this text amendment and sends it with a favorable recommendation of 6-0-0. Commissioner Schrier moved to approve the TSA01-07: Section 6, Street Standards, as recommended by the Plan Commission, as Ordinance 2007-09. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TSA 02/07: DEFINITIONS, STREET
ORDINANCE 2007-10

Les a Wagner, Planner, presented TSA02/07: an Amendment to Hendricks County Subdivision Control Ordinance Section 2.02: Definitions, Street, and stated this amendment is to make the terminology consistent and for clarification in the existing Subdivision Control Ordinance. A public hearing was held for this text amendment on May 9, 2007 and comes with a favorable recommendation of 6-0-0. Commissioner Schrier moved to approve TSA02/07, street definitions, as presented and approved by the Plan Commission, as Ordinance 2007-10.

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

IN THE MATTER OF GIS

Don Reitz requested authority to purchase GIS software, maintenance and training for \$14,313 and stated this purchase was one of the recommendations of the Addressing Workflow and further sated these purchases will be funded from the Planning and Building Department budget. Commissioner Schrier moved to grant consent for the GIS system for the Planning and Building Department to start their maps on the GIS and to authorize the President to sign the Authorization to Proceed with the Schneider Corporation. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MASS PROPHYLAXIS EXERCISE

Sarah Wortz, Public Health Preparedness Coordinator, presented Mass Prophylaxis Exercise to be held June 16, 2007 in the Brownsburg High School that is being planned by the Hendricks County Health Department, Hendricks Regional Health, Brownsburg Fire Territory, Brownsburg Police Department, Brownsburg Community School Corporation, Avon/Washington Township Fire Department, Plainfield Fire Department, Danville Fire Department and the Hendricks County Emergency Management. Ms. Wortz explained the purpose and procedures for this training session and the objectives for the exercise.

IN THE MATTER OF TRADERS STATION

Mike Graham presented a copy of the May 18, 2007 letter to Tim Litz, President Traders Station Neighborhood Association, stating the Commissioners have determined it is not appropriate to take over the private streets in Traders Station for public maintenance and that without a financial commitment by the residents of this subdivision it is unproductive to continue discussion on the acceptance of these streets by the County for the purpose of maintenance. The letter also stated this decision could be reconsidered if residents decided to pay for the necessary street improvements.

IN THE MATTER OF CUSTODIAL STAFF

Mike Graham requested to transfer \$7,500 from Special Contracts line in the Commissioners' budget to the Custodial budget for \$5,000 for the new part-time custodian and \$2,500 for necessary custodial supplies, on the condition that this position is approved by the Personnel Committee and sent to the Council with a recommendation for approval. Commissioner Schrier moved to approve the request for a new part-time custodian and to proceed with the transfer of \$7,500 from the Commissioners' budget to the Custodian budget, if the position is approved.

IN THE MATTER OF SUPERIOR COURT 1

Receipt was acknowledged of a written request from Judge Robert Freese, Superior 1; Judge Mark Smith, Superior 4; and Stephenie Lemay-Luken, Judge 5, to purchase a retractable screen for Superior Court No. 1 as there is no screen in Superior 1 and this court is also used by Superior 4 & 5. Commissioner Palmer moved to approve Superior 1 working with the Engineering Staff to obtain the best price for a screen for use in Superior Court No. 1. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF GOVERNMENT CENTER MEETING ROOMS

Receipt was acknowledged of concerns for the extension of time for use of the Government Center meeting Rooms resulting in Staff being required to stay late. Commissioner Schrier moved for Mike Graham to review the

Meeting Room Policy and bring back recommendations. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF 56TH STREET

John Ayers presented a draft letter to the Town of Brownsburg relative to the widening of 56th Street (CR 600N) from CR 900E to Raceway Road that will cost \$7.3 million to construct this project. The letter stated if Brownsburg annexes a portion of 56th Street constructed by the County before the debt is paid off the County would like a commitment from Brownsburg to pay the remaining debt for the portion of 56th Street that is annexed with the amount to be determined by the length of the roadway annexed. Also, if Brownsburg annexes a portion of 56th Street after the debt is paid off there would be no reimbursement necessary. The County is not asking Brownsburg to fund any part of this project at this time as it will be funded by Hendricks County with no federal or state assistance. It was the consensus of the Commissioners to sign and send the letter to the Brownsburg Town Council, as presented.

IN THE MATTER OF CULVERT INSPECTIONS

John Ayers presented a Request for Qualifications (RFQ) for professional services for culvert inspections of all culverts from 2’ to 19.99’ for approximately 117 culverts from 12’ – 19.9’, 246 culverts from 6’ – 11.9’ and 376 culverts from 2’ to 5.9’ for a total of approximately 759 culverts. Mr. Ayers further advised that the last culvert inspections were five years ago. Commissioner Palmer moved to accept the Engineer’s recommendation to send out RFQ for culvert inspections as stated in the notice. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CONSERVATION CLUB DAM

John Ayers presented the inspection report from Banning Engineering for the Conservation Club Dam with the section that summarizes the remediation alternatives. It was the consensus of the Commissioners to forward the report to the Indiana Department of Natural Resources (DNR).

IN THE MATTER OF COURTHOUSE

John Ayers explained some water problems at the Courthouse and the need of some exterior maintenance and repair of the Courthouse including windows and doors. Mr. Ayers presented a proposal from Pioneer Restoration for exterior work and window /door calking for \$63,500 and stated there were some funds left in the Adult Probation renovation project that could be transferred to fund this repair. Commissioner Palmer moved to accept the Engineer’s recommendation to do maintenance work at the Courthouse and to transfer funds for this repair. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence and calendar:

Correspondence:

- 1. IDEM, Office of Air Quality has received an air quality permit Application from Sitatina, Inc., 205 West Main Street, Danville, IN
- 2. Hoosier Heartland RC&D Quarterly Council Meeting, Monday, June 4, 2007, 6:00 p.m. MCL Cafeteria, 5520 Castleton Corner Lane, Indianapolis, IN

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

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the Highway Report of May 11 to May 17, 2007 from Martin Summers, Highway Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources Weekly Report from Ron Love, Director.

IN THE MATTER OF PLANNING

Receipt was acknowledged of the Planning and Building Report of Collections for April 2007.

Commissioner Schrier moved to adjourn the Commissioners’ meeting at noon: Commissioner Palmer 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