

June 5, 2007

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, June 5, 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
Michael E. Graham		Administrator to County Commissioners
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. Greg Steuerwald gave a brief prayer for those who wished to participate.

IN THE MATTER OF BIDS

Commissioner Whicker announced it was 9:30 AM and that bids for the animal shelter should be closed. Commission Palmer moved to accept the four bids received and to close bids for the animal shelter. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers opened and read the following bids for the animal shelter:

Firm	<u>Edwards-Rigdon</u>	<u>Perry Bldg</u>	<u>Steelcore</u>	<u>Quantum Const.</u>
Base Bid	\$ 1,304,756	\$ 1,365,400	\$ 1,159,000	\$ 1,229,600
Alt. #1 Furnish & Install Outdoor kennels	48,051	32,000	32,000	100,165
Alt. #2 Furnish & install glass block for windows in Kennel 118	6,080	8,000	6,370	10,820
Alt. #3 Furnish & install split face concrete block masonry in lieu of brick veneer	6,528	5,000	1,490	70,000
Alt. #4 Furnish and install glazed Block masonry in lieu of painted concrete block in dog kennel runs	40,677	57,000	46,450	41,765
Alt. #5 Furnish & install the temporary drive located in place of the future road	54,232	9,600	47,950	62,340

Commissioner Schrier moved to refer the bids to John Ayers and the architect, Tom Farney, to review and bring back a recommendation in two weeks, to the June 19, 2007 meeting. Commissioner Palmer 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 22, 2007, 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 #168774 thru 169159, #083692 thru 083879 and direct deposit #030395 thru 030737 as presented June 5, 2007. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Commissioner Schrier reported he had been advised that GE has tentatively agreed to financially participating in – the Lauth project located at I-70 and SR 39 – Exit 59, however no final date for closing has been set at this time.

IN THE MATTER OF RONALD REAGAN PARKWAY

Commissioner Whicker reported he, John Ayers, Dennis Faulkenberg, and Laurie Maudlin, Ice Miller, had met with a representative from Congressman Buyer's office, Clare O'Brien, and they had taken a tour of Ronald Reagan Parkway.

John Ayers stated he and Martin Summers had met with representatives of the Town of Plainfield to discuss maintenance of the Ronald Reagan Parkway in the Plainfield area and presented a memo summarizing the discussion that was discussed later in the meeting.

IN THE MATTER OF WORK RELEASE FACILITY

Commissioner Whicker stated he was removing himself from the bid awarding for the work release facility due to a conflict of interest as one of his sons is a sub contractor for this project. He turned the meeting over to Vice President Palmer and left the meeting room.

John Ayers advised that after a review of the bids and alternates he would recommend awarding the bid for the work release facility to Brandt Construction. Mr. Ayers also stated that while all of the alternates were considered, the ones offering the best value to the County based on the amount of the bid are Alternatives #4, #5, #6, #8A and #9: Jeffrey D. Moshier, United Consulting Engineers & Architects, explained the suggested alternates as follows:

Alternate #4 - Ceramic tile and base in lieu of vinyl composition tile (VCT) and vinyl base

Alternate #5 – Upgrading the carpet

Alternate #6 – Installing a multiple ply roof in lieu of a single ply roof

Alternate #8A- A brick base veneer on the concrete wall panels in lieu of a random ashlar stone pattern.

Alternate #9 – Adding a wood panel wainscot to the open office area

Commissioner Palmer moved to accept the recommendation of the Engineering staff and Engineering firm with all five alternates approved with Brandt Construction. There was discussion of the merit of using a brick base veneer or the stamped ashlar random stone pattern. The motion died for lack of a second. Commissioner Schrier moved to proceed to award the bid for the work release facility to Brandt Construction as the lowest most responsive and responsible bid received and to approve the alternatives #3, 4, 5, 6, and 9 and to delete 8A, subject to bond closing, and to execute the contract. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

Commissioner Whicker returned to the meeting room and Commissioner Palmer turned the meeting over to President Whicker.

IN THE MATTER OF VACATION OF RIGHT-OF-WAY HEARTLAND CROSSING ORDINANCE 2007-11

Andy Kult, Comer Law Office, presented a request for a vacation of right-of-way of a portion of the Ronald Reagan Parkway in the Cedar Run development in Heartland Crossing and stated he actual road in this area has already been relocated. Mr. Kult presented a map showing the area to be vacated. Commissioner Schrier moved to approve the request for vacation of right-of-way, as described in Exhibit A, located in Cedar Run in Heartland Crossing as Ordinance 2007-11. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REVENUE REVIEW COMMITTEE

There was discussion of reactivating the Revenue Review Committee. Nancy Marsh gave a brief history of this committee, its functions and purpose. Information on the Revenue Review Committee was presented. Commissioner Schrier moved to stay with the same pattern of membership and for all three Commissioners to be members of the Revenue Review Committee. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0. It was the consensus of the Commissioners to recommend to the Council that they continue with three members from the Council and that the Auditor, Treasurer and Administrator to the Commissioners serve as ex-official members of the Revenue Review Committee.

IN THE MATTER OF HOLIDAY CALENDAR 2008

Receipt was acknowledged of a request from Judge Freese, Superior Court 1, for a 2008 holiday calendar as they are scheduling court cases into 2008. A draft calendar was presented. It was the consensus of the Commissioners to refer the calendar to staff for review and recommendation.

IN THE MATTER OF RELAY FOR LIFE PROCLAMATION

Receipt was acknowledged of a request from Jenny Bradshaw, Co-Chairman Danville Relay for Life, requesting a proclamation declaring June 2007 as “Relay for Life Month”. Commissioner Whicker read the following proclamation:

STATE OF INDIANA)
) ss: HENDRICKS COUNTY COMMISSIONERS
COUNTY OF HENDRICKS)

***PROCLAMATION
DECLARING THE MONTH OF JUNE 2007
“RELAY FOR LIFE MONTH”***

WHEREAS, cancer is a group of diseases characterized by uncontrolled growth and spread of abnormal cells, which if not controlled, can result in death; and

WHEREAS, 30,040 new cases of cancer are estimated to occur in the State of Indiana in 2007 and approximately 12,730 Indiana citizens are expected to die from cancer this year; and

WHEREAS, the American Cancer Society is a voluntary community-based health organization in Indiana, dedicated to eliminating cancer as a major health problem; and

WHEREAS, the Relay for Life is a community affair held throughout Indiana, which presents an opportunity to dust off your camping gear, slip on your walking shoes and network with business associates, family, and friends.

NOW, THEREFORE, We, The Hendricks County Board of Commissioners of the State of Indiana, do hereby proclaim the month of June 2007 as RELAY FOR LIFE MONTH, throughout the County of Hendricks, in the State of Indiana. We urge citizens to recognize and participate in the relays held in Hendricks County.

This order entered on this 5th of June, 2007

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

Commissioner Palmer moved to approve the Proclamation for Relay for Life Month of June 2007, as requested.

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

IN THE MATTER OF PROCLAMATION FOR AMATEUR RADIO

Receipt was acknowledged of a request from Jay Wright, Amateur Radio, for a proclamation for Amateur

Radio Week for the week of July 23, 2007. Commissioner Whicker read the following proclamation:

STATE OF INDIANA)
 BOARD OF COMMISSIONERS-
HENDRICKS COUNTY)

P R O C L A M A T I O N
AMATEUR RADIO WEEK

WHEREAS, the County of Hendricks, has more than 840 licensed Amateur Radio Operators who have demonstrated their value in public assistance by providing emergency radio communications; and

WHEREAS, these Amateur Radio Operators donate these services free of charge to Hendricks County in the interest of the citizens of the County as well as the world; and

WHEREAS, these Amateur Radio operators are on alert for any emergency, local and World wide and practice their communications skills during the American Radio Relay League’s Field Day exercise; and

WHEREAS, the Amateur Radio Field Day will take place Saturday, June 23 and Sunday, June 24, 2007 at Hendricks County 4-H Fairgrounds and Conference Complex. Hendricks County also recognize the central Indiana counties participating in Marion County for the Central Indiana Amateur Radio Community.

NOW, THEREFORE, we as Commissioners of the County of Hendricks hereby declare the week of June 23, 2007, AMATEUR RADIO WEEK.

In recognition of this important emergency preparedness exercise we call upon all citizens to pay appropriate tribute to the Amateur Radio Operators of Hendricks County.

In witness whereof Hendricks County Board of Commissioners, dated this 5th day of June 2007

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

Commissioner Schrier moved to approve the proclamation for 2007 Amateur Radio Week, as requested.

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

IN THE MATTER OF LINK TRANSPORTATION GRANT INTENT

Marcia Lynch, Director of Community Relations Sycamore Services, presented the Letter of Intent for the 2008 INDOT 5311 Transportation Grant that covers the operating expenses for LINK Hendricks County and stated that in order to meet the deadline she had emailed this grant intent to the Commissioners and President Whicker had signed this Intent to Apply for Funding. Commissioner Schrier moved to ratify the President’s execution of the grant intent for LINK Hendricks County, as previously approved. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Palmer moved to recess the Commissioners’ meeting at 10:40 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 meeting at 10:41 AM with the following joining the meeting:

John Parsons, Systems Administrator Doug Morris, Web Master

John Parsons presented a diagram of the Hendricks County fiber optic locations and a Hendricks County fiber Optic cost estimate. He also explained the number of fibers, fiber mileage, cost per fiber mile and the estimated cost from the Courthouse to Jail, Government Center, Hendricks Regional Health, 4-H Fairgrounds and Conference

Complex, and the old fairgrounds. Mr. Parsons explained that the Town of Danville would like to use some of the County’s surplus fiber for a wireless system. There was discussion of the need to work with all entities for fiber optic usage. The use of the Hendricks Regional Health fiber was explained and the cost of this service to the County. Commissioner Schrier moved to proceed with discussing fiber optic usage with the Town of Danville and to determine the cost. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

John Parsons stated the Town of Danville will need to have access to the County fiber cabinets. It was the consensus of the Commissioners to permit access to the necessary cabinets for fiber.

Commissioner Palmer moved to adjourn the Tech Board at 10:50 AM. Commission Schrier seconded the motion and the motion was approved unanimously 3-0-0.

It was the consensus of the Commissioners to reconvene the Commissioners’ Meeting at 10:51 AM.

IN THE MATTER OF JUDICIAL CENTER

Commissioner Whicker stated the Town of Danville will have a report from their Vision Committee is late June and we will await this report before any further discussion of the judicial center.

IN THE MATTER OF COMPREHENSIVE FINANCIAL PLAN

Mike Graham presented a copy of the Comprehensive Financial Plan (CFP) Update from Greg Guerrettaz, Financial Solutions Group, with a fee agreement. Mr. Graham also stated it was agreed at the Joint Commissioners and Council meeting on May 24, 2007 to proceed with the services of Greg Guerrettaz for a comprehensive financial plan. Commissioner Palmer moved to accept the agreement for professional services, as presented, and to authorize the President to sign the agreement. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF WORK RELEASE BOND

Auditor Nancy Marsh reported that she and Greg Guerrettaz, Financial Solutions Group, had spent two 1 ½ hour sessions on phone calls with bond rating firms, Fitch and Moody’s, relative to the bond for the work release facility.

IN THE MATTER OF RESIGNATIION OF COMMISSIONER ED SCHRIER

Commissioner Schrier read a resignation press release statement stating it was with some regret and a whole lot of pride of accomplishment that he submits his resignation as Hendricks County District 2 Commissioner effective on or before August 1, 2007.

IN THE MATTER OF EXIT 59 TIF LEGAL BILLS

Mike Graham presented bills for legal services for the TIF area of I-70 and SR 39 - Exit 59 Lauth project from Bruce Donaldson, Barnes and Thornburg, in the amount of \$324.00 and \$347.55. Commissioner Schrier moved to delay payment of these legal bills until Attorney Steuerwald talks with the bank counsel. Commissioner Palmer seconded the motion. Greg Steuerwald explained the bond funding. Commissioner Schrier withdrew his motion. Commissioner Palmer withdrew her second. Commissioner Palmer moved to proceed to pay the bills for legal service incurred in lieu of the Lauth Exit 59 project. Commissioner Schrier seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PLAINFIELD RONALD REAGAN PARKWAY MAINTENANCE

John Ayers presented a memo of June 4, 2007 relative to maintenance of the Plainfield Ronald Reagan Parkway and explained a discussion he and Martin Summers had last week with representatives from the Town of Plainfield on

this issue. Martin Summers explained the additional equipment that would be required if the County maintained this portion of the Parkway within the city limits of Plainfield. It was the consensus of the Commissioners for Mike Graham to set a meeting within ten days with the Plainfield elected officials and the County elected officials to discuss and resolve this maintenance issue.

IN THE MATTER OF MILEAGE

Receipt was acknowledged of a written request from Charles Colbert, Weights and Measures Inspector, to increase the mileage allowance due to the increase in fuel costs. Auditor Nancy Marsh stated the County is currently using the same mileage rate of the State which is \$0.40, however the federal mileage rate is \$0.45. Commissioner Palmer moved to send a letter to the Council requesting they review the mileage allowance and to increase the mileage pay to Charles Colbert, Weights and Measure Inspector, due to the nature of his employment and the increased fuel price. 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 Air Quality Permit for ArvinMeritor in Hendricks County, preliminary findings regarding a significant permit revision to a federally enforceable state operating permit, notice of 30-day period for public comment.
- 2. IDEM notice of 30-day period for public comment , preliminary findings regarding the renewal of a part 70 operating permit for Phoenix Fabricators and Erectors, In. in Hendricks County.

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:
 - a. Cincinnati CompaniesBond Release John D. Clossey
 - b. Cincinnati CompaniesBond Release Teresa Miller
 - c. Cincinnati CompaniesBond Release Anthony Ferguson
 - d. Cincinnati CompaniesBond Release Danny D. Williams

IN THE MATTER OF 2008 BUDGET

There was discussion of the 2008 Commissioners’ budget. It was the consensus of the Commissioners to hold a budget workshop on Tuesday, June 12 at 2:30 PM in the Commissioners’ Meeting Room to discuss the 2008 budget.

IN THE MATTER OF HUMANE SOCIETY

John Ayers presented a letter to Merrily Niles, President Hendricks County Humane Society, requesting the Humane Society to pay the \$80,000 architect’s fees for Grinsfelder Associates & Architects, per their agreement with the County.

IN THE MATTER OF CONSTRUCTION AND SERVICE CONTRACTS – WORK RELEASE

John Ayers presented two Construction and Service Contracts with Clawson Communications for fiber optic installation to the work release facility and inside the building in the amount of \$23,960 and \$13,483 respectively. Commissioner Schrier moved to approve the contract with Clawson Communications for the work release facility, as

recommended by the County Engineer, to pay from the work release facility bond 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 FAIRGROUNDS – HORSE BARN

John Ayers stated only one bid was received for removal of the horse barn at the fairgrounds and that was a \$2,000

bid, however, the bidder did not want to not remove the barn until August which will interfere with other proposed

buildings at the site. Mr. Ayers requested to offer the bidder, Bruce Williams, the option to pay \$1,000 and to take

whatever he could/would of the horse barn by August 1, 2007. It was the consensus of the Commissioners to approve

the County Engineer’s request to offer the horse barn for \$1,000 to the bidder and that he takes whatever he wants of

this horse barn for the \$1,000 amount by August 1, 2007

IN THE MATTER OF BRIDGE NO. 274

John Ayers advised that construction of Bridge No. 274, located on Cartersburg Road over the CSX Railroad, is on

schedule.

IN THE MATTER OF BRIDGE NO. 122

John Ayers stated that Bridge No. 122, located on CR 200S, is now complete.

IN THE MATTER OF GU-080

John Ayers sated the Hendricks County Culvert GU-080 on C R 1075E in Guilford Township is scheduled for a

pre-construction meeting next week to start construction of this project.

IN THE MATTER OF GU-043

John Ayers advised that bids will be opened next week for Hendricks County Culvert-043, located on CR 625E,

(Center Street), over Ditch in Guilford Township.

IN THE MATTER OF CR 200E - FAIRGROUNDS ROAD PROJECT

John Ayers explained a pre construction meeting with Reith Riley for the Fairgrounds road project on CR 200E

and Main Street and stated they may have delays with moving a telephone utility line.

IN THE MATTER OF BANK BUILDING

John Ayers stated they are laying carpet in the bank building and the juvenile probation staff will be moving to this

building within a few days.

IN THE MATTER OF MULTIPLEX

John Ayers announced the Park Superintendent has moved the parks office into the Multiplex.

IN THE MATTER OF EXECUTIVE SESSION

Commissioner Whicker read the following statement relative to the Executive Session held at 8:30 AM this

morning in the Commissioners’ Office.

MEMO

TO: File

DATE: June 5, 2007

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, was the item 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***

IN THE MATTER OF SUMMONS – DAUM TRUCKING & ROBERT DAUM

Receipt was acknowledged of a summons from Daum, LLC Daum Tracking, Inc. and Robert Daum. The original

was hand delivered to Rich Jensen, Stevenson – Jensen Agency, and a copy to Attorney Greg Steuerwald.

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the May 15, 2007 Weights and Measures Report from Charles Colbert, Weights and

Measures Inspector.

IN THE MATTER OF TRANSFER

A draft letter was presented for the previously approved transfer of funds from the Special Contracts line in the

Commissioners’ budget to the Employee and Supplies lines in the Custodial budget. It was the consensus of the

Commissioners to sign this transfer letter.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the May 25 to May 31, 2007 Highway Report from Martin Summers, Highway

Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Harman Resources Report of May 11 to June 1, 2007 from Ron Love, Human

Resources Director and the Human Resources Assistant report of May 21 through May 25, 2007.

IN THE MATTER OF SHERIFF

Receipt was acknowledged of the County Sheriff’s Report of receipts and disbursements of the Commissary Fund

for the period of January 1, 2007 to April 30, 2007 from Sheriff David Galloway.

Receipt was acknowledged of the 2006 Hendricks County Sheriff’s Department Annual Jail Report from Sheriff

David Galloway.

IN THE MATTER OF JOHN & JUNE CRUM

Receipt was acknowledged of a letter from Paul Wilson, Zoning Inspector, verifying clean-up of the John and June

Crum property in Brownsburg. per contract of August 2, 2006, with a bill from Advanced Recycling to be funded

from the Special Projects fund.

IN THE MATTER OF FOODS & NUTRITION LUNCH

Receipt was acknowledged of the Foods & Nutrition Lunch & Learn Series for a program of Weight No More

series scheduled for each Wednesday in June at noon in the Government Center lounge.

IN THE MATTER OF EMPLOYEE RESIGNATION AND NEGOTIATED AGREEMENT

Nancy Marsh presented an email opinion from the State Board of Accounts relative to a personnel issue in the

Surveyor’s Office and a request from the County Surveyor and Human Resources Director. The State Board of

Accounts opinion is that the State would not take exception with the Commissioners if the negotiated agreement

required an exception from established policy. Commissioner Schrier moved to make a special exception to the

Employee Policy Manual in compliance with a letter from the State Board of Accounts and the Human Resources

Director relative to a personnel issue in the Surveyor’s Office. Commissioner Palmer seconded the motion and the

motion was approved unanimously 3-0-0. The Commissioners asked the Auditor to request the State Board of

Accounts to put this opinion into a formal letter.

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 11:50 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
