

February 19, 2008

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, February 19, 2008, 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:

David A. Whicker)	
Phyllis Palmer)	Hendricks County Board of Commissioners
Eric L. Wathen)	
Cinda Kattau		Hendricks County Auditor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Don Reitz		Hendricks County Area Plan Director
Bill Hahn		Hendricks County MSA Director
Judith Wyeth		Secretary to the Commissioners

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

IN THE MATTER OF MINUTES

Commissioner Wathen moved to approve the minutes of February 12, 2008, as corrected. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve claims #177902 thru 178297, #087510 thru 087673 and Direct Deposit #036940 thru 037279 as presented February 19, 2008. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Mike Graham stated he had not received a call or any contact from representatives of the Lauth Development regarding Exit 59.

John Ayers stated he will be meeting with representatives from Paul Kite and the Planning Department later today to discuss their proposed site plans for Exit 59.

John Ayers also stated Lauth is working with INDOT officials on entrance requirements onto SR 39.

IN THE MATTER OF RONALD REAGAN PARKWAY

Commissioner Wathen advised he will meet February 20, 2008 with a Boone County Commissioner and Dennis Faulkenberg, Appian, to discuss continuation of the Ronald Reagan Parkway into Boone County. Mr. Wathen also stated on February 29, 2008 he will meet with INDOT officials in Indianapolis and on February 26, 2008 the Task Force will meet at 3:00 PM in the Government Center.

John Ayers stated the public meeting in Zionsville to discuss the environmental study went very well and Beam Longest and Neff will now forward this environmental assessment to the State.

John Ayers advised that last week the Technical Committee of the Metropolitan Planning Organization (MPO) considered a request from Avon to adopt a resolution to place the bridge on SR 267 over the CSX tracks back on the INDOT project list. He advised that he had abstained from the vote on behalf of the County due to the pending negotiations regarding SR 267 and the Parkway. The motion passed anyway and the MPO will be sending the resolution to INDOT.

It was the consensus of the Commissioners that the Transportation Earmark application be made for funding of the Ronald Reagan Parkway from US Highway 36 to CR 100S.

John Ayers presented the January 2008 activity report from Dennis Faulkenberg, APPIAN, for the Ronald Reagan

Parkway.

IN THE MATTER OF JUDICIAL CENTER

Commissioner Whicker stated that John Ayers will meet with Banning/Arc Design to discuss the two phase feasibility study of the judicial center and the first phase will be the space requirements and that Banning will bring back several options.

John Ayers stated he will be meeting with representatives from Banning Engineering and Arc Design on Wednesday, February 21, 2008 to discuss fees for this judicial center study.

IN THE MATTER OF PEDCOR INVESTMENTS

Craig Lintner, Vice President Pedcor Investments, gave a presentation on the proposed 96 unit apartment project on 11.5 acres in Bradbury Park, 3700 North Raceway Road, which Pedcor plans to construct. Mr. Lintner presented a letter requesting support from the Commissioners stating Pedcor will be applying for an allocation of federal housing tax credits from the Indiana Housing & Community Development Authority and as a part of its application for tax credits. Pedcor is obligated to notify the highest elected official in the jurisdiction in which the development is to be located that an application for tax credits is being submitted.

Don Reitz stated this property was rezoned to RF, multi-family residential, on September 28, 2004 and Pedcor came to the February 12, 2008 Plan Commission with modifications to the previously approved commitments of the rezoning.

Commissioner Wathen moved for the Commissioners to not respond to this letter as not being for or against this project. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLEAN WATER

Bill Hahn presented a Memorandum of Agreement regarding cooperation and coordination of Implementing 327 AC-15-13 (Rule 13) between Hendricks County (through the Hendricks County Partnership for Water Quality) and the Town of Danville, Indiana, which has been reviewed and approved by Greg Steuerwald. Mr. Hahn explained the various educational projects and stated the towns will pay for the educational events they are involved with and that none of these fees will go to salaries. Commissioner Palmer moved to approve the Memorandum of Agreement between Hendricks County and the Town of Danville, as presented, and to authorize the President to sign on behalf of the Commissioners. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Bill Hahn presented a Memorandum of Agreement regarding cooperation and coordination of Implementing 327 AC-15-13 (Rule 13) between Hendricks County (through the Hendricks County Partnership for Water Quality) and the Town of Avon, Indiana, which has been reviewed and approved by Greg Steuerwald. Mr. Hahn explained the various educational projects and stated the towns will pay for the educational events they are involved with and that none of these fees will go to salaries. Commissioner Palmer moved to approve the Memorandum of Agreement between Hendricks County and the Town of Avon, as presented, and to authorize the President to sign on behalf of the Commissioners. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CHILD SUPPORT

Receipt was acknowledged of a call from Marthalou Thompson, Child Support, stating problems with their fax and

a service bill will be very costly. It was noted this is a small home/office type of fax and would cost more to repair than to replace. It was the consensus of the Commissioners to check on the number of faxes that were sent and received in this office and if there was another fax in their area that could be shared.

IN THE MATTER OF CENTER TOWNSHIP ASSESSOR

Receipt was acknowledged of a request from the Center Township Assessor’s office to use the County credit card to replace a camera. They advised they have funds available for this purchase, but they do not have an office credit card. Commissioner Palmer moved to have Judy Wyeth contact the office of the Center Township Assessor to arrange for them to purchase a replacement camera with the County credit card and payment thereof. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Wathen moved to recess the Commissioners’ meeting at 10:40 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker convened the Tech Board at 10:41 AM with John Parsons, Systems Administrator, joining the meeting.

IN THE MATTER OF TECH BOARD

John Parsons presented the LightBound contract for fiber connectivity at Henry Street that was discussed on February 12, 2008 and explained the one paragraph relative to attorney fees had been added to the contract by Attorneys Greg Steuerwald and Dan Zielinski. Mr. Parsons stated he had talked with representatives of LightBond and they were in agreement with this addition. It was the consensus of the Commissioners to accept the revised contract with LightBound and for the President to sign the contract on behalf of the Commissioners.

Commissioner Palmer moved to adjourn the Tech Board at 10:45 AM. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REFINANCING THE BOND

Mike Graham advised that Greg Steuerwald had recommended the County use the legal firm of Bose, McKinney and Evans, to handle the refinancing of the Government Bond as they were the legal firm that handled the original bond. Mr. Graham inquired if the Commissioners would like to use the same legal firm, Bose, McKinney and Evans, to handle the refinancing of the Government Center bond. Commissioner Palmer moved to keep the same legal firm, Bose, McKinney & Evans, for the bond refinancing as recommended by the County Attorney. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CONSERVATION CLUB LAKE

Mike Graham reported that Bob Stewart, representing the Danville Conservation Club, has stated the negotiations with the Town of Danville and Sycamore Services have ended and neither the Town of Danville nor Sycamore Service can come to terms on acquiring the Conservation Club property. None of the entities could agree on a concept whereby the Conservation Club would sell the land. Mr. Graham stated they had hoped either Danville or Sycamore Services would acquire the land and then we could negotiate a deal to have one of these entities pay for the dam removal or repair. That concept is not going to happen and the County is now left to determine the fate of the dam & lake. It was the consensus of the Commissioners for Mike Graham to invite Bob Stewart to attend a Commissioners’ meeting to discuss this lake issue.

IN THE MATTER OF ANIMAL CONTROL

Mike Graham responded to the Commissioners previous request to have an executive session to talk to Mary Ann

Lewis, Chief Animal Control Officer, about the new animal control facility and suggested the meeting be February 26, 2008 at 1:00 PM. It was the consensus of the Commissioners to hold an executive session on February 26, 2008 at 1:00 PM for Animal Control.

IN THE MATTER OF REBATE CHECKS

Auditor Cinda Kattau reported the 38,366 rebate checks have been printed and the mail service has picked up the checks to mail. Hendricks County taxpayers should receive their checks in the mail later this week.

IN THE MATTER OF ON CALL PRELIMINARY ENGINEERING
FOR DESIGN OF BRIDGES, CULVERTS, AND ROADS

John Ayers stated the County has previously used two firms, WTH and R. W. Armstrong, for on call preliminary engineering, however, WTH is no longer doing this type of engineering. Mr. Ayers stated that when this matter was previously discussed the Commissioners had indicated they preferred to have two firms that could be used for on call preliminary engineering. He presented a Request for Qualification (RFQ) of needed professional services for Hendricks County to consist of On Call Preliminary Engineering to include design from conception through right-of-way engineering for projects that will be locally funded bridge, culvert and/or road projects with construction costs under \$750,000. Commissioner Wathen moved to approve the County Engineer to send RFQ for on call engineering services and to execute. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ON CALL PART TIME CONSTRUCTION ENGINEERING
FOR CONSTRUCTION INSPECTION

John Ayers presented a draft Request for Qualifications (RFQ) for on call part-time construction engineering for construction inspection for projects that will be locally funded, bridge, culvert and/or road projects, with construction costs under \$750,000. Commissioner Wathen moved to approve the County Engineer to send letters to engineering firms for on-call part time construction engineering for construction inspection and to sign the document. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF GOVERNMENT CENTER

John Ayers advised they will be looking at cost figures for replacing the windows and carpet in the Government Center from the funds for refinancing of the Government Center bond.

IN THE MATTER OF DONNELLY HEIGHTS

John Ayers stated they are looking at the drainage problems in Donnelly Heights and will take a recommendation to the Drainage Board.

IN THE MATTER OF PROSECUTOR’S OFFICE

John Ayers advised he had received an email from Prosecutor Pat Baldwin requesting they look at space for the Drug Task Force staff. Mr. Ayers responded he is working with the Prosecutor on this request and looking for space.

IN THE MATTER OF WESTRIDGE ESTATES - SECTION 4

John Ayers presented a letter to Brownsburg Attorney Charles C. Engel, in regard to the repaving of Westridge Estates by Mr. Engel’s client, Buck Jones. Mr. Ayers stated it was his understanding that Mr. Jones will be replacing the rejected material and emphasized five areas of concern that are the responsibility of the contractor. .

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence and calendar:

1.Indiana Historic Bridge Inventory information from INDOT.

Action needed/taken on the following:

- 1. Checks received and signed to the country:
 - a) Governmental Interinsurance Exchange \$3,671.05 Vehicle Damage
- 2. Whicker signed vehicle titles for the following:
- 3. Documents needing action:

a) Cincinnati Companies Bond Release Alise Pate

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the February 8 to February 14, 2008 Highway report from Martin Summers, Highway Superintendent.

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the January 15 to February 15, 2008 Weights and Measures report from Charles Colbert, Weights and Measures Inspector.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the February 11 to February 15, 2008 Human Resources report from Ron Love, Human Resources Director.

IN THE MATTER OF TORT CLAIM

Receipt was acknowledged of a Tort Claim from Nunn Law Office for Kathleen Kilian, individually and as legal guardian of Jared Houser, for incident of September 13, 2007. The original has been hand delivered to Rich Jensen and a copy faxed to Greg Steuerwald.

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 11:12 AM to attend a Workshop with Cinda Kelley, Executive Director Hendricks County Economic Development Partnership, at 2:00 PM in Room #3 of the Hendricks County Government Center. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

David A. Whicker, President

Phyllis A. Palmer, Vice President

Eric L. Wathen, Member

ATTEST: _____
Judith Wyeth, Deputy Auditor

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