

March 4, 2008

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, March 4, 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)	
Dan Zielinski		Acting Hendricks County Attorney
Cinda Kattau		Hendricks County Auditor
John Ayers		Hendricks County Engineer
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. Commissioner Palmer gave a brief prayer for those who wished to participate.

IN THE MATTER OF GUEST

Auditor Cinda Kattau introduced Kevin Gies of Urberach, Germany, an intern studying in America. Mr. Gieu requested to video the Commissioners' meeting today for his report. It was the consensus of the Commissioners to grant Kevin Gieu approval to video the Commissioners' meeting.

IN THE MATTER OF MINUTES

Commissioner Wathen moved to approve the minutes of February 26, 2008, as corrected. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Wathen moved to approve claims #178556 thru 179912, #087675 thru 087826 and Direct Deposit

#037280 thru 037620 as advertised. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HIGHWAY

Martin Summers inquired if there were any questions or concerns regarding the 2007 Highway report that was presented last week. Commissioner Wathen moved to approve the 2007 Hendricks County Highway report as submitted by Martin Summers, and to execute. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Palmer stated the road at the gravel pit, south of Plainfield, was in dire need of repair. Martin Summers stated this road is on the list of repairs.

Receipt was acknowledged of the February 22 to February 28, 2008 Highway report from Martin Summers, Highway Superintendent.

IN THE MATTER OF EXIT 59

John Ayers stated he did not have any contact with anyone relative to Exit 59 during the past week.

IN THE MATTER OF RONALD REAGAN PARKWAY

Commissioner Wathen reported on the February 26, 2008 meeting of the Task Force to discuss funding for the Ronald Reagan Parkway and stated the towns are more open to discussions. He further advised the Task Force will again meet on March 11, 2008.

Commissioner Wathen also reported on a meeting with representatives from INDOT and Boone County Commissioner Huck Lewis on February 29, 2008 relative to the possible swap of SR 267 and advised they will again meet on March 17, 2008 to continue this discussion.

John Ayers presented draft letters expressing the County's appreciation for the continued support for the Ronald Reagan Parkway to US Congressman Steve Buyer; US Senators Richard Lugar and Evan Bayh; State Senators Connie Lawson and Phil Boots; and State Representatives Jeff Thompson, Bob Behning, Greg Steuerwald and Ralph Foley. The letters also ask for their consideration of the FY09 Hendricks County appropriations request and fully explained the Ronald Reagan Parkway purpose, advantages, the various phases of the parkway and the progress in connecting I-65 and I-70 through Hendricks and Boone Counties.

IN THE MATTER OF JUDICIAL CENTER

John Ayers advised he will have a completed fee proposal this week from Banning Engineering and Arc Design for the feasibility study for the proposed judicial center.

IN THE MATTER OF CYPRESS MANOR AND SHELTERING WINGS

Rich Jensen advised the County insurance carrier has approved coverage for Cypress Manor to provide shelter to men who are victims of domestic violence and stated he will bring in an agreement with a Hold Harmless Agreement after it has been reviewed by the County Attorney. Mr. Jensen stated he will work with Mike Graham and Attorney Dan Zielinski on these agreements.

IN THE MATTER OF WORK RELEASE FACILITY

John Ayers stated the Judges will tour the new Work Release Facility on March 11, 2008 and extended an invitation to the Commissioners to join the tour.

IN THE MATTER OF CULVERTS MI-006 AND MI-007

John Ayers presented a memorandum from USI Consultants with an estimate for two options for replacement of Structures MI-006 and 007, located south of CR 1000N on CR 550E in Middle Township; Alternative #1 for replacing both structures and Alternative #2 to eliminate both structures and realign the stream to stay on the west side of the road. USI compared the cost for both options and gave life cycle costs for up to 100 years showing that Alternative #2 for stream relocation was the most cost effective over time. Mr. Ayers stated he has met with IDEM at this location and they encouraged relocating the stream, which would require removing both culverts and replacing with only one culvert and a bridge for access to the property on the west side of the road. He further advised that a permit from IDEM with either option will be required. Commissioner Wathen moved to approve to continue to pursue option #2 for stream relocation for MI-006 and MI-007 and for John Ayers to start the process to acquire right-of-way for this stream relocation option. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ON CALL RIGHT-OF-WAY

John Ayers presented a contract with Associated Right-of-Way Services for on call right-of-way services for all County projects except for the Ronald Reagan Parkway and explained the contract remains the same as the 2002 contract with Associated Right-of-Way Services and this is merely an update of the fee schedule. It was the consensus of the Commissioners to forward this contract to Attorney Dan Zielinski for review.

IN THE MATTER OF BRIDGE NO. 25

John Ayers reported on Bridge No. 25, located in White Lick Creek Estates over the Beaman Ditch, stating they had a court hearing and the property owners had thirty days to proceed to file any objections, after which the County can proceed with the project.

IN THE MATTER OF 56TH STREET

Attorney Dan Zielinski advised the documents have been filed relative to condemnation of several parcels on 56th Street. The court appointed appraisers will be sworn in March 6, 2008, by the Judge and a report will be filed by the end of April.

IN THE MATTER OF CYPRESS MANOR

Attorney Dan Zielinski advised the US Foodservice agreement with Cypress Manor is a credit application to do service with them now that they have purchased Clark Foodservice, previous provider to Cypress Manor. It was the consensus of the Commissioners to approve the Foodservice credit agreement and for the President to sign and forward this credit application to US Foodservice for Cypress Manor.

IN THE MATTER OF GERANIUM FESTIVAL

Receipt was acknowledged of a request from Amanda Jensen, Executive Director Greater Danville Chamber of Commerce, advising that the Downtown Danville Merchants Association will be holding the 2nd annual Geranium Festival on Saturday, May 3, 2008 from 8 AM – 4 PM. There will be booths with art displays, plant displays and games for the family with the biggest part of this event being the 4-H geranium sales. Also, some of the 4-Hers would like to demonstrate their dog drill teams and agility skills that would be set up as performances. They are asking the County's permission to use the grassy area, lawn, surrounding the Courthouse. The 4-Hers would be supervised by adults and will be responsible for cleaning up after the dogs' messes. They will make sure the dogs do not get loose as they will be on a leash at all times. They will also be

responsible for picking up all toys, props etc. once the dogs are finished. It was the consensus of the Commissioners to approve the request for use of the Courthouse lawn for 4-H dog drill teams during the Geranium Festival on Saturday, May 3, 2008 and that they are responsible to clean up the lawn after their use.

IN THE MATTER OF WEST CENTRAL CONSERVANCY - WAGE COMMITTEE

Receipt was acknowledged of a request from Attorney Alan M. Hux, for an appointment to serve on the Wage Committee for the West Central Conservancy District. The Commissioners were referenced appointments by the previous Commissioners to the Wage Committee for the West Central Conservancy. Commissioner Palmer moved to reappoint Richard P. Myers to serve on the Wage Committee for the West Central Conservancy District. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ADVANCED CRIMINAL ENFORCEMENT GRANT PROPOSAL

Receipt was acknowledged of the Advanced Criminal Enforcement Grant Proposal Form from the Indiana Criminal Justice Institute to provide overtime compensation for deputies working “off-duty” overtime on interstate interdiction in the amount of \$6,050.88. Commissioner Wathen moved to approve the Advanced Criminal Enforcement Grant in the amount of \$6,050.88 and for the President to sign the grant on behalf of the Commissioners. Commissioner Palmer 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, Notice of Decision-Approval Buckeye Terminals.
- 2. Ivy Tech Community College – Central Indiana meeting on Workforce Development, April 2, 2008, North Meridian Campus, 8:30 – 10:30 a.m.
- 3. INDOT information sought for Historic Bridge Inventory.

Action needed/taken on the following:

- 1. Checks received and signed to the county:
 - a) Cincinnati Insurance Companies \$3,093.00 snow plow damage
- 2. Whicker signed vehicle titles for the following: None
- 3. Documents needing action: None.

IN THE MATTER OF PLANNING AND BUILDING

Receipt was acknowledged of the February 25, 2008 Collections Report from Don Reitz, Director Area Planning and Building.

IN THE MATTER OF EXECUTIVE SESSION

Commissioner Whicker read the following Memo to the file:

MEMO

TO: *File*

DATE: *February 26, 2008*

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
Eric L. Wathen, Member

IN THE MATTER OF PROCLAMATION

Receipt was acknowledged of a Proclamation honoring the 38th MP Company of the Indiana National Guard from Lori Turpin, Veterans Affairs Officer. Commissioner Palmer read the following Proclamation:

State of Indiana)
) Hendricks County Commissioners
Hendricks County)
)

**PROCLAMATION HONORING
38th MP COMPANY
INDIANA NATIONAL GUARD**

BE IT DECLARED THAT: *The Hendricks County Board of Commissioners recognize that a number of our fellow citizens have been called upon to defend our nation’s security as members of the Indiana National Guard called to Active Duty in the United States Army for service in Operation Iraqi Freedom.*

BE IT FURTHER DECLARED THAT: *The Hendricks County Board of Commissioners explicitly supports these men and women who are serving with courage and distinction and carrying out their mission in a highly dangerous and unfamiliar environment.*

BE IT ALSO DECLARED THAT: *The Hendricks County Board of Commissioners unequivocally support the spouses and children who remain here at home to continue their daily lives, who demonstrate bravery and valor in their support of their loved ones that they miss so much.*

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE: *The Hendricks County Board of Commissioners offers its heartfelt appreciation for the efforts of our fellow men and women serving in uniform from the 38th Military Police Company and ask that all citizens of Hendricks County and this great nation join together to support these soldiers and their families throughout their deployment.*

Dated this 4th day of March 2008

(SEAL)

(SIGNED)
David Whicker, President
Phyllis Palmer, Vice President
Eric Wathen, Member

When we assumed the Soldier, we did not lay aside the Citizen.....George Washington

Commissioner Palmer moved to approve the Proclamation Honoring the 38th MP Company, as presented, and that the Commissioners forward individually signed copies to each member of the 38th MP Company. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TORT CLAIM

Receipt was acknowledged of a Tort Claim from Anthony M. Campo & Associates on behalf of Hong Yan Liu and Patrick S. Moran, for incident of January 16, 2008 within the town limits of Plainfield. The original was hand delivered to Rich Jensen and a copy faxed to Greg Steuerwald.

IN THE MATTER OF TOWN OF AVON

Receipt was acknowledged of the February 26, 2008 letter from Sam Paledino, Assistant Public Works Director Town of Avon, expressing thanks for extending the invitation to Avon to participate in the 2008 Hendricks County Partnership for Water Quality Program.

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

Commissioner Whicker opened the Tech Board at 10:31 AM.

IN THE MATTER OF TECH BOARD

Commissioner Whicker stated he had received word that John Parsons, Systems Administrator, had advised he had nothing to bring before the Tech Board this date.

Commissioner Wathen moved to adjourn the Tech Board at 10:32 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker reconvened the Commissioners’’ meeting at 10:33 AM.

IN THE MATTER OF JOINT MEETING

Commissioner Whicker announced there would be a Joint Meeting of the Commissioners and Council at 3:00 PM today, March 4, 2008, to discuss refinancing of the Hendricks County Courthouse bond. The meeting will be held in the Commissioners’ meeting room in the Hendricks County Government Center.

IN THE MATTER OF REDEVELOPMENT COMMISSION

Commissioner Whicker announced the Redevelopment Commission would meet on Wednesday, March 5, 2008 at 7:00 PM in the Commissioners’ meeting room of the Hendricks County Government Center to discuss tax abatement for Apex, located in Heartland Crossing.

Commissioner Whicker moved to adjourn the Commissioners meeting at 10:35 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

David A. Whicker, President

Phyllis A. Palmer, Vice President

ATTEST: Judith Wyeth, Deputy Auditor

Eric L. Wathen, Member
