

April 1, 2008

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, April 1, 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)	
Gregory E. Steuerwald		Hendricks County Attorney
Cinda Kattau		Hendricks County Auditor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Lori Turpin		Hendricks County Veterans’ Affairs Officer
Don Reitz		Hendricks County Area Plan Director
Cathy Grindstaff		Hendricks County Environmental Health Director
Wayne Marsh		Hendricks County Highway Department
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 MINUTES

Commissioner Wathen moved to approve the minutes of March 25, 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 #180426 thru 180443, #180508 thru 180630, #180531 thru 180872, #088041 thru 088109 and Direct Deposit #037977 thru 038345, as advertised. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PROCLAMATION

Lori Turpin introduced Major Walter Finney of the 38th MP Company Indiana National Guard. 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

(SIGNED)

David Whicker, President

Phyllis Palmer, Vice President

Eric Wathen, Member

(SEAL)

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

The Commissioners presented Major Finney proclamations for each member of the 38th Company.

IN THE MATTER OF EXIT 59

Commissioner Wathen stated the 8:00 AM Workshop held this date in the Government Center was to discuss the Exit 59 TIF with all three Commissioners, Council President Larry Hesson, Attorney Greg Steuerwald, Mike Graham and Hendricks County Economic Development Partnership Executive Director Cinda Kelley. No action was taken.

Mike Graham announced Dennis Dechow, Lauth Development, had called to advise he would not be attending today’s meeting, however, he did report Lauth is continuing to work with INDOT on the SR 39 road issues. Mr. Dechow also stated Lauth is working with Greg Guerrettaz, Financial Solutions Group, and Bruce Donaldson, Barnes & Thornburg on the bonds for Exit 59.

Commissioner Whicker stated the Hendricks County Regional Sewer District is working to provide sewer service to the properties at Exit 59.

IN THE MATTER OF RONALD REAGAN PARKWAY

Commissioner Wathen advised of a meeting April 8, 2008 with representatives from INDOT, Boone County and Appian to discuss estimated costs for improvement for SR 267 for the possible exchange for the Ronald Reagan Poky.

John Ayers presented a release of easements taken for temporary right-of-way for construction of the Ronald Reagan Parkway between CR 450S and US Highway 40 for Parcel No. 17 owned by Patsy Arnold n/k/a Patsy Dugger. Commissioner Palmer moved to approve the release of the easement temporarily taken, for the parcel mentioned, and as recommended by the County Engineer. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF JUDICIAL CENTER

John Ayers reported Banning Engineering and Arc Design are starting today to tour the Courthouse and to look at space for the Judicial Center study and stated the study will be completed in July.

IN THE MATTER OF ZE 388/07: AACME AUTO PARTS

Don Reitz presented ZA-388/07: Aacme Auto Parts, ZA-388/07, a request for a zoning amendment change from HB/Highway Business District, to MI/Major Industrial District, for 18.1 acres, located at the northwest quadrant of the intersection of US Highway 40 and CR 300W at 3110 West US Highway 40, Clayton, in Franklin Township. The Plan Commission held the public hearing on March 11, 2008 and sends this rezoning request with a favorable recommendation of 7-0-0. Mr. Reitz stated this is a 40 acre parcel, however, the rezoning is only for the front 18.1 acres and explained the requirements of IDEM and the twenty commitments approved by the Plan Commission for this zoning request for these 18.1 acres. Receipt was acknowledged of additional information from neighbors.

Commissioner Whicker and Commissioner Wathen both stated they had driven by this parcel and of the owner’s

property in Marion County and there was discussion of the enforcement of the twenty commitments approved by the Plan Commission. Commissioner Whicker moved to follow the recommendation of the Plan Commission and approve the rezoning for Aacme Auto Parts. The motion failed for lack of a second. Commissioner Palmer moved to deny the petition ZA 388/07 to rezone the 18.1 acres of the Aacme Auto Parts, as presented. Commissioner Whicker seconded the motion. Cathy Grindstaff stated she had correspondences regarding the petitioner’s Marion County properties. She also stated the Hendricks County Health Department currently has a case for a failed septic system on the home on this parcel. Paul Wilson, Zoning Inspector, submitted a letter dated November 19, 2007, which provided a good overview of the issues the County has had with George Hannell, owner of this property. Commissioner Whicker called for the question and the motion for denial was approved unanimously 3-0-0.

IN THE MATTER OF HABITAT FOR HUMANITY

Dave Chenault, Habitat for Humanity, stated they have built a total of 26 homes for families in Hendricks County and presented a letter indicating in 2008 and 2009 they plan to build homes in Plainfield, Danville and North Salem. Mr. Chenault stated the properties in Plainfield and Danville have necessitated some plat work revisions while the North Salem home will require the involvement of the County’s Building Department. He explained that because of the plat work revisions and building site locations he requested a waiver of all fees and bonds associated with all facets of construction for these homes. There was discussion of the ability to waive the recording fees as a wavier of these fees would be determined by the County Recorder Paul Hardin and a waiver of the clean water fees would be determined by the Drainage Board and/or County Surveyor. Commissioner Palmer moved to waive all fees under the Commissioners’ jurisdiction within the County’s jurisdiction and to waive the bond fee for contractor for Habitat for Humanity, exclusive for this project. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REFINANCING MOTOROLA LEASE - COMMUNICATIONS CENTER

Greg Guerrettaz, Financial Solutions Group, presented handouts regarding refinancing the Motorola lease for the Communications Center and advised that Fifth Third Bank had withdrawn their offer and Chase has the installment purchase agreement for communications equipment refinancing for 8.5 years at 3.239% in the amount of \$6,675,000 and advised that Chase will hold this bid until April 4, 2008. Mr. Guerrettaz advised this will be for the same time frame and by reducing payments will save \$319,462.44. Commissioner Wathen moved to approve the refinancing Motorola lease with Chase, as presented and authorize the President to sign on behalf of the Commissioners, subject to the review and approval of the County Attorney. Commissioner Palmer seconded the motion and the motion was approve unanimously 3-0-0.

IN THE MATTER OF REFINANCING GOVERNMENT CENTER BONDS

Greg Guerrettaz, Financial Solutions Group, explained refinancing the bond for the Government Center advising the bond rating had been confirmed at AA3, which is the same rate for the original bond, and explained this refinancing would be with an eighteen month extension. John Ayers presented the estimates for replacing windows for the Government Center at \$605,000 - \$632,500, new carpet for the Government Center at \$335,000 - \$350,000 and using the larger estimates would make the total \$982,500. Mr. Guerrettaz stated we will not get any cheaper

money.

Commissioner Wathen moved to recess the Commissioners’ Meeting at 10:35 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker opened the Tech Board at 10:36 AM.

IN THE MATTER OF TECH BOARD

Commissioner Whicker stated he had been informed by John Parsons, Systems Administrator, there was nothing to bring before the Tech Board today.

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

Commissioner Whicker reconvened the Commissioners’ meeting at 10:45 AM.

IN THE MATTER OF HIGHWAY TRUCKS

Wayne Marsh, Highway Department, presented a proposal to lease four new trucks for a period of five years and explained the advantages of leasing rather than purchasing trucks for the Highway Department, Mr. Marsh also stressed the need to be on a regular rotation system in order to receive the most from the used vehicles and advised they have improved their maintenance program. He stated this lease is apart of the concept approved last year to start a five year rotation system for the County Highway trucks. Last year there were 8 trucks purchased and with a total annual lease payment of \$180,992.05. The lease payment for this year’s new trucks would be \$92,500 increasing the total 2008 payment to \$275,549.05. Commissioner Palmer moved to approve to continue the program to lease replacement vehicles for the Highway Department and to replace four trucks at this time. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CONSERVATION CLUB DAM

Bob Stewart, representing the Conservation Club, came forward to discuss their unsuccessful attempts to find a solution to the problems associated with the dam. He explained the Conservation Club has had this property for over fifty years. Mike Graham stated the only cost effective approach to solve the problem is to remove the dam. Banning Engineering has estimated the cost for the removal at \$150,000 to \$180,000. There was discussion of the eight homeowners that have built lakefront homes on the dam and of a recorded covenant between the Homeowners Association and the Conservation Club. It was the consensus of the Commissioners to continue the Conservation Club dam matter in order to obtain additional information.

Mike Graham stated one proposal explored was for Sycamore Services to purchase the Conservation Club property and to use some of the proceeds to fix the dam problem. When Sycamore Services was looking at the Conservation Club property they became interested in 3 acres of County property that is located north of the Highway Garage facilities and west of Terry Kirtley Boulevard to construct a child services building to consolidate child service agencies at one location. The three acres is a part of a parcel that contains the dam. Sycamore Services currently leases 5 acres of land from the County for their current facilities for \$12 per year for 50 years. He stated there may be an opportunity to sell these properties to generate some money to address the dam problem or they may just want to deal with each issue separately. Mr. Graham also stated the revenue from selling the property would probably not cover the cost of removing the dam. It was the consensus of the Commissioners for Mike Graham to contact Sycamore Services for a written offer on the property they have expressed an interest in and bring back a report.

IN THE MATTER OF SOUTH JEFFERSON STREET RENTAL

Mike Graham explained the proposed lease for rental of office space on South Jefferson Street in Danville for the Prosecutor’s Office. He stated here is a provision for the County to provide \$300,000 of property insurance. Rich Jensen has prepared an estimate and the annual premium for this coverage would be \$700. John Ayers explained the provisions in the lease. It was the consensus of the Commissioners to obtain additional information and to bring the lease back next week for further discussion.

IN THE MATTER OF LINK – DEOBLIGATION OF GRANT FUNDS

Mike Graham explained there is a pass through yearly transportation grant that has been obtained by Sycamore Services and Senior Services. This grant from the Indiana Department of Transportation (INDOT) provides for a limited amount of public transportation for citizens in Hendricks County. The grant is in the name of the County Commissioners but it is administered by Sycamore Services and Senior Services. Occasionally, there are un-used dollars at end of the year. At the end of 2007 there was \$4,295 un-used grant money. The Federal Government requires the grant recipient to ‘deobligate’ the unexpended balance. Mr. Graham presented a letter from INDOT to be signed by the Commissioners’ President approving this Deobligation. Commissioner Palmer moved to approve the Deobligation of unexpended funds from an INDOT grant for Senior Services and Sycamore Service LINK 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 BLISS McKNIGHT INSURANCE

Mike Graham announced he had received information from our insurance carrier, Bliss McKnight, advising they provide several services to the County at no additional cost. Mr. Graham stated they will review the Employee Handbook and will conduct several training sessions for employees. It was the consensus of the Commissioners to have Bliss McKnight review the Employee Manual and to further check on the various training that they offer.

IN THE MATTER OF CE AND PE CONTRACTS

John Ayers advised he will have recommendations ready next week for the on-call Construction Engineer (CE) and Preliminary Engineer (PE) that were received March 18, 2008.

IN THE MATTER OF UNOFFICIAL DETOUR - CR 400S TO CR 900E

John Ayers presented a Letter of Understanding from Indiana Department of Transportation (INDOT) for the unofficial detour that will be in effect while US 136 is closed to replace a culvert this summer. The unofficial detour will be over CR 1000E, CR 400N and CR 900E Commissioner Wathen moved to approve and sign the INDOT Letter of Understanding for the Unofficial Detour Agreement, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HOUSE ON CARTERSBURG ROAD

John Ayers discussed the blue house that was purchased as right-of-way for construction of Bridge No. 174 on Cartersburg Road over the CSX tracks and stated the County purchased this house and it has been used by the construction contractor. Mr. Ayers stated this house now needs to be moved, rented, sold, used for County office space or torn down. There was no action taken at this time.

IN THE MATTER OF DONNELLY HEIGHTS

Commissioner Wathen thanked John Ayers for working to investigate drainage issues in Donnelly Heights and

IN THE MATTER OF DISTRICT AIC MEETING

Receipt was acknowledged of invitations to attend the April 22, 2008 West Central District AIC meeting at the Beef House in Covington, Indiana. Commissioner Whicker, Commissioner Palmer and Mike Graham requested to be registered for this meeting.

Receipt was acknowledged of the March 28, 2008 letter from David M. Warren requesting approval to the grant agreement for Multi Hazards Mitigation Plan that Hendricks County EMA and the Hendricks County Commissioners applied for in February 2006. Mr. Warren advised that this plan is required by the Department of Homeland Security for each County. Commissioner Palmer moved to approve and execute the grant for Multi Hazards Mitigation Plan for Hendricks County. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker presented a request from Hendricks County Youth Leadership to use the outside area at the Multiplex on April 9, 2008. Commissioner Palmer moved to approve the request to use the outside area at the Multiplex. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

1. Hendricks County Youth Leadership, Suzanne Whicker, has requested the use of an outside area for a car rescue demonstration at the Multiplex on Wednesday, April 9, 2008. This is a part of their program for Youth Leadership on that day including a visit to the jail.

1. Checks received and signed to the county:
 - a) Cincinnati Insurance Company \$1,548.25 lightning damage
2. Whicker signed vehicle titles for the following: None
3. Documents needing action:
 - a) Cincinnati Companies Bond Laurie Holder
 - b) Cincinnati Companies Bond Stephen Roberts
 - c) Cincinnati Companies Bond Dwight Stevenson

Receipt was acknowledged of the Human Resources report of March 24 to March 28, 2008 from Ron Love, Human Resources Director.

Commissioner Palmer moved to adjourn the Commissioners' meeting at 11:45 AM. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Eric L. Wathen, Member

ATTEST: _____
Judith Wyeth, Deputy Auditor

