

May 20, 2008

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, May 20, 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 A. Palmer)	Hendricks County Board of Commissioners
Eric L. Wathen)	
Gregory E. Steuerwald		Hendricks County Attorney
Cinda Kattau		Hendricks County Auditor
Gail Brown		Hendricks County Assessor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Don Reitz		Hendricks County Planning Director
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 MINUTES

Commissioner Palmer moved to approve the minutes of May 13, 2008, as corrected. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Wathen moved to approve claims #182311 thru 182320, #181924 thru 182320, #182328 thru 182398, and 182399 thru 182413 as advertised. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Mike Graham stated that he was working with Dennis Dechow, Lauth Development, and John Ayers on plans for the internal road in the Westpoint Business Park at Exit 59.

Greg Steuerwald advised he will be attending a meeting today at 3:00 PM to work on the TIF bonds for Exit 59.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers stated he has met with INDOT representatives to work on the projected costs of completion of the Ronald Reagan Parkway and SR 267. He stated he will be meeting with engineers from INDOT within the next two weeks to work out the details of the costs of these two roads.

Commissioner Wathen stated the Ronald Reagan Task Force will meet Wednesday, May 21 2008 to continue their discussion of funding.

John Ayers presented the April 2008 Apian activity report from Dennis Faulkenberg and Laurie Maudlin for the Ronald Reagan Parkway.

John Ayers advised of the problems with weeds in the median of the Ronald Reagan Parkway south of US Highway 40 and stated that due to the drought last summer the grass did not grow and they may need to remove the sod and reseed this area. He stated the Town of Plainfield has offered to pay for the reseeding if the County pays for the prep work, because the Parkway is within the Plainfield Town limits. Mr. Ayers will obtain costs and bring back for further consideration.. The maintenance agreement reached last year stipulated that the Town of Plainfield would take over the mowing this year.

There was discussion of mowing the Ronald Reagan Parkway right-of-way.

John Ayers stated he had requested the Town of Avon to remove their weight limit signs from the area of the Ronald Reagan Parkway within the Town of Avon.

IN THE MATTER OF JUDICIAL CENTER

John Ayers explained that staff along with representatives of Banning Engineering and Arc Design met with Sheriff Galloway for his input for the feasibility study for the judicial center and that they have now completed their interviews with the elected officials connected with the proposed judicial center.

IN THE MATTER OF REX PIPELINE ROAD AGREEMENT

John Ayers stated the changes requested in the agreement presented last week by Attorney Ben Comer between the Board of Commissioners of Hendricks County with Rockies Express Pipeline (REX) have been made. Commissioner Wathen moved to approve the revised Roadway Usage Agreement with Rockies Express Pipeline (REX) and to execute. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF GOODWILL INDUSTRIES

Julie Woodrum, Director Workforce Service for Goodwill Industries, gave a brief presentation of their Senior Community Service Employment Program (SCSEP) and explained this program helps provide on the job training, skill and personal development assistance for individuals with Hendricks County public and not-for-profit businesses, at no cost to the business, as the employees will be paid through a federal grant to Goodwill Industries. Ron Love stated he supported this program for Hendricks County. Rich Jensen clarified the liability of these workers and was advised by Ms. Woodrum the liability is with Goodwill Industries as they will be employees of Goodwill working in businesses throughout Hendricks County. Commissioner Palmer moved to enter into an agreement with Goodwill Industries, subject to review by legal counsel. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ZONING ORDINANCE

Don Reitz presented the draft Zoning Ordinance Amendments with a summary of the changes. He stated the Plan Commission held a public hearing on May 13, 2008 and sends this Zoning Ordinance Amendment with a favorable recommendation of 6-0-0 with one member absent.

Anthony Hession stated the overlay for the Ronald Reagan Parkway is excessive and expressed concerns.

Andre Lacy agreed with the concerns expressed by Anthony Hession. Mr. Lacy questioned the right-of-way required on the different properties and requested a 30 day review for the Hession family and Lacy family to be involved in the process to make the language more inviting to developers and homeowners.

Commissioner Wathen stated he had some concerns about adopting the Ronald Reagan Overlay Standards on the language in the draft Zoning Ordinance.

Greg Steuerwald explained the adoption/denial process for a Zoning Ordinance and the time frame for the Commissioners.

Commissioner Wathen moved to continue the Zoning Ordinance to the June 17, 2008 meeting to allow further time for discussion with the property owners. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

It was the consensus of the Commissioners for Commissioner Wathen, Andre Lacy, Anthony Hession, Plan Director Don Reitz and a representative from the Plan Commission meet to discuss the Ronald Reagan Parkway overlay in the Zoning Ordinance and bring back to the Commissioners.

IN THE MATTER OF ASSESSOR’S OFFICE - SOFTWARE

Assessor Gail Brown advised the current software in the Assessor’s Office has no support and is not repairable. She stated that she has looked at five software providers and feels XSoft is the most serviceable, however, the DLGF has not given state certification to any of the software vendors for the Assessor’s Office. Ms. Brown presented a Software License Agreement with XSoft for replacement software in the Assessor’s Office at a cost of \$212,750 with \$106,375 payable now and the balance payable one year after successful installation. She also advised this would be funded from the Reassessment Funds. Attorney Greg Steuerwald stated he has reviewed the XSoft contract. Commissioner Wathen moved to approve the contract for software in the Assessor’s Office with XSoft and Hendricks County and to execute the contract, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Palmer moved to recess the Commissioners’ meeting at 11:00 AM. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker opened the Tech Board at 11:01 AM.

IN THE MATTER OF TECH BOARD

Commissioner Wathen questioned if the air conditioners had been installed in the Computer Department to keep the computer equipment cool to prevent down time on the computers and web page due to overheating. John Ayers stated they had all been installed to the satisfaction of the Computer Department and he was not aware of any problems since the installation.

Commissioner Wathen moved to adjourn the Tech Board at 11:02 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker reconvened the Commissioners’ meeting at 11:03 AM.

IN THE MATTER OF CONSERVATION CLUB

Mike Graham stated the Commissioners previously requested a letter to be sent to the residents of Danville that border Conservation Club lake regarding their financial commitment in paying for the dam improvements maintenance and presented a draft letter for consideration. He stated this letter requested their input for financing the dam repair would be sent to 12 home owners and the Conservation Club. Mr. Graham also presented a draft letter to the Conservation Club advising them they had violated the terms of the lease by not maintaining the dam. Greg Steuerwald recommended to first send a letter to the Conservation Club followed by the letters to the property

owners. It was the consensus of the Commissioners to send a letter to the Conservation Club and then send the letters to the property owners a few days later and for the President to sign all of the letters.

IN THE MATTER OF HENDRICKS REGIONAL HEALTH

Mike Graham presented a draft letter to Hendricks Regional Health supporting the submission of bond financing to the Indiana Bond Bank for their planned hospital expansion. Commissioner Wathen requested Greg Steuerwald to check with Greg Guerrettaz, Financial Solutions Group, and Bruce Donaldson, Barnes & Thornburg bond counsel, to determine if and how this hospital bond financing would affect the County bond rating. Commissioner Wathen moved to approve and execute the letter of support from the Commissioners to the Hendricks County Regional Health. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SHERIFF’S RETIREMENT PLAN

Mike Graham advised that he, Commissioner Palmer and Council President Hesson met with Sheriff Galloway to talk about his support of Financial Solutions Group’s proposal to analyze the Sheriff’s retirement fund. Mr. Graham reported that Sheriff Galloway stated he would not interfere with the analysis being done if the Commissioners and Council wanted the study done. Both Commissioner Palmer and Councilman Hesson stated they want to see the analysis done. The Analyses of Hendricks County Sheriff’s Retirement Fund contract not to exceed \$4,500 from Financial Solutions Group (FSG) was presented. Commissioner Palmer moved to approve and sign the contract with Financial Solutions Group for the Analyses of the Sheriff’s Retirement Fund, not to exceed \$4,500, and 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 VEHICLES

Mike Graham advised that at the request of the Commissioners for conservation of fuel with County vehicles he had shared the proposed stop idling and start saving promotion poster with Martin Summers and Sheriff Galloway. He further advised he had .talked to Martin Summers and he will support the efforts to reduce idling. Mr. Graham also stated he has emailed a copy of the poster to Sheriff Galloway and he stated he would do what they can. Because the County Council is also listed on the poster a copy was sent to Council President Larry Hesson and he also is supportive.

Mike Graham presented a request from David Warren, Emergency Management Director, to drive the County vehicle to Seymour to attend a training session for earthquakes. Commissioner Palmer moved to approve the Emergency Management Director driving a County vehicle out of the County to attend a conference for earthquake training. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COURTHOUSE BUILDING CORPORATION - BONDS

Receipt was acknowledged of the May 14, 2008 invoice from Bose McKinney & Evans for legal services in connection with the Hendricks County Courthouse Building Corporation First Mortgage Bonds, Series 2008, in the amount of \$25,478.76. Commissioner Palmer moved to approve the payment of the invoice for legal services from Bose McKinney & Evans in the amount of \$25,478.76 and forward to Auditor Cinda Kattau for payment from the Courthouse Building Corporation bond. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RECOGNITION - KENNY GIVAN

There was discussion of the resignation of County Councilman Kenny Given after his over forty years of service to Hendricks County. It was the consensus of the Commissioners to check with the Council to designate Thursday, June 11, 2008 as Kenny Givan Day and for Auditor Cinda Kattau to work out the details to recognize Kenny Givan for his service to Hendricks County.

IN THE MATTER OF DANVILLE PUBLIC LIBRARY

Receipt was acknowledged of the May 9, 2008 letter from Loren Malloy, Director Danville Public Library, advising the term for Ann Tussey will expire on June 30, 2008 and requesting the reappointment of Ann Tussey to another four-year term as a public library trustee. Commissioner Whicker stated he knew Ms. Tussey as she was an elementary teacher in the Danville Community Schools. Commissioner Palmer moved to reappoint Ann Tussey to a four-year term as trustee of the Danville Public Library through June 30, 2012. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF METROPOLITAN PLANNING ORGANIZATION (MPO)

John Ayers presented a status report on the 2010 Active Transportation Campaign being promoted by the Metropolitan Planning Organization (MPO). Commissioner Wathen requested County Engineer John Ayers to refer to the Appian report from Dennis Faulkenberg and Laurie Maudlin for review of local projects of this proposal

IN THE MATTER OF 56th STREET

John Ayers reported on the proposed roundabout at the intersection of Raceway Road and 56th Street.

John Ayers stated he had been advised Marion County has plans to widen 56th Street as it extends from Hendricks County into Marion County in 2016 – 2020.

IN THE MATTER OF NORTHERN ACRES

John Ayers presented the plans to resolve the drainage problems in Northern Acres and explained. There was discussion of this development. The Commissioners requested John Ayes to draft a letter to Brownsburg regarding their plans for Northern Acres to determine if the drainage project could be added to the sanitary sewer project.

IN THE MATTER OF BRIDGE NO. 178

John Ayers presented Change Order No. 001 from the Indiana Department of Transportation for the historic Bridge No. 178, located behind Kroger's in Danville. This change orders is for \$66,000 with the Federal Government paying 80% and Hendricks County paying 20% of this cost. Mr. Ayers stated the County portion will be funded from Cum Bridge. Commissioner Palmer moved to approve INDOT Change Order No. 001 for historic Bridge No. 178 n the amount of \$13,200 and 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 ROAD REPAIR

John Ayers advised that the Highway Department plans to start paving County roads this week with hot mix to get ahead of the oil escalation clause that will go in effect July 1, 2008.

IN THE MATTER OF SPRINT SOLUTIONS – ENHANCE CELL PHONE RECEPTION

Mike Graham presented the Converged Network Solutions Basis Agreement from Sprint Solutions to enhance cell phone reception. Greg Steuerwald stated he is working with Sprint to make some minor changes in this agreement. Commissioner Wathen moved to approve the Sprint agreement to enhance cell phone reception, per recommendation

made by Greg Steuerwald, with the changes he is making in the agreement. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SHERIFF’S DEPARTMENT - CERTIFICATION REPORT

Receipt was acknowledged of the Federal Annual Certification Report from Megan Morgan, Jail Matron, for a \$14,000 grant for the Sheriff’s Department. Commissioner Palmer moved to approve the Federal Annual Certification Report from the Sheriff’s Department 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 CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence and calendar:

Correspondence:

- a. IDEM notice of receipt of a solid waste facility minor permit modification application for Ray’s Trash Service, Inc.
- b. IDEM, Office of Air Quality, Notice of Decision: Approval-Effective Immediately for Harlan Bakeries

Action needed/taken on the following:

- 1. Checks received and signed to the county:
- 2. Whicker signed vehicle titles for the following:
 - a) Chevrolet Impala Sheriffs’ Department
- 3. Documents needing action:
 - a) Federal Annual Certification Report for Hendricks County Sheriff’s Department, Summary of Equitable Sharing Activity for Fiscal Year Ending 2007, budget for current fiscal year \$14,000.

IN THE MATTER OF VETERANS’ AFFAIRS

Receipt was acknowledged of the monthly report for April 2008 from Lori Turpin, Veterans’ Affairs Officer.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the May 9 to May 15, 2008 report from Martin Summers, Highway Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the May 12 thru May 19, 2008 Human Resources report from Ron Love, Human Resources Director.

IN THE MATTER OF PLANNING DEPARTMENT

Receipt was acknowledged of the May 14, 2008 Report of Collections from Don Reitz, Planning and Building Director.

IN THE MATTER OF SOIL AND WATER

Receipt was acknowledged of an invitation from Jessica Norcross of the he Soil and Water Conservation Office, for the Conservation Technology Information Center (CTIC) 2008 conservation tour of several properties, including the Starkey Farm, and lunch on Thursday, July 17, 2008.

IN THE MATTER OF TOWN OF AVON

Commissioner Palmer reported on a meeting with a member of the Avon Town Council and their discussion of Avon annexation plans.

IN THE MATTER OF SCHOOL SUPERINTENDENT REPORT

Auditor Cinda Kattau presented the State School Superintendent report for execution in the amount of \$24,162.88. Commissioner Palmer moved to approve and execute the State School Superintendent report as presented by the Auditor. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF STATE BOARD OF ACCOUNTS AUDIT

Commissioner Whicker announced he had attended the Exit Interview with the State Board of Accounts Auditor along with County Auditor Cinda Kattau, for their audit of County records and stated they had a good report for Hendricks County.

IN THE MATTER OF FAIRGROUNDS ROAD

Leonard Rowe, Old Farm, complained about dust problems from the gravel driveway around the interior of the Hendricks County 4-H Fairgrounds and Conference Complex and stated it is a problem for the residents in the two subdivisions adjacent to the fairgrounds. John Ayers stated this is now a Fairgrounds decision and they are looking at this problem. Commissioner Palmer stated as a member of the Fair Board she is aware the Fair Board is looking at various products and procedures to resolve the dust issues on this internal road.

Commissioner Wathen moved to adjourn the Commissioners’ meeting at 12:10 PM. Commissioner Palmer 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

