

June 3, 2008

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, June 3, 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
David Gaston		Hendricks County Surveyor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
James McBryant		Cypress Manor Administrator
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 Wathen moved to approve the minutes of May 27, 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 #182442 thru 182445 and 182468 thru 182853 as advertised. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Commissioner Whicker stated the Regional Sewer Board is continuing discussion with representatives from Paul Kite, Lauth Development and Mark Sanders to provide sewer service to Exit 59 and stated the application will be sent on Friday, June 6, 2008 to IDEM for the construction permit. Commissioner Whicker stressed the need for the Memorandum of Understanding (MOU) with Paul Kite Company for their proposed development at Exit 59.

John Ayers advised he is working with Lauth Development for the internal road in their Westpoint Business Park. Mike Graham announced the Redevelopment Commission meeting scheduled for Wednesday, June 4, 2008 at 7:00 PM in the Government Center to discuss proposed TIF Districts for I-70 and SR 39 - Exit 59.

Commissioner Wathen requested a letter be sent to the Redevelopment Commission informing them the bids will not be awarded until Lauth has purchased the bonds.

IN THE MATTER OF RONALD REAGAN PARKWAY

Commissioner Wathen gave a brief update on the Ronald Reagan Parkway and advised they are continuing to work with INDOT.

Commissioner Whicker acknowledged receipt of the May 27, 2008 letter from INDOT Rail Office denying the

petition for an at-grade crossing over the railroad tracks on Ronald Reagan Parkway. It was the consensus of the Commissioners to not appeal this denial.

Commissioner Wathen stated he, Greg Steuerwald, and Don Reitz met with the property owners at I-74 and Ronald Reagan Parkway to discuss the proposed overlay and that they are working to review this overlay and resubmit to the Plan Commission. He will bring the revised overlay to the Commissioners on June 17, 2008 and take to the Plan Commission July 8, 2008 meeting.

Commissioner Wathen inquired the status of the sewer pipe easement for Ronald Reagan Parkway and sewer line relocation at the bridge over the CSX railroad tracks. John Ayers responded the County is working with Aqua Indiana on the relocation of sewer lines at this location on the Ronald Reagan Parkway and stated the County should be able to fund this project from federal funds that have been earmarked for design. Previously there was some discussion about having the Regional Sewer District pay for this design work. It is now determined the design work would be done from the Highway funds.

John Ayers advised he had talked with representative from the Town of Avon and was advised the Avon Town Council has made no progress on his request for assistance in repaving the portion of the Ronald Reagan Parkway within the town limits of Avon.

IN THE MATTER OF JUDICIAL CENTER

John Ayers advised he will be meeting with Banning Engineering and Arc Design to go over space requests for the proposed judicial center feasibility study. Steve Craney, Banning Engineering, stated they are on schedule with the study.

IN THE MATTER OF DONNELLY HEIGHTS

Vernon Gene Ploughe, 3681 Romar Drive, Brownsburg, came forward as a “Wishes to be Heard”, to discuss drainage and flooding, in Donnelly Heights and the damage to roads and sidewalks in this area as the result of the flooding. Mr. Ploughe stated they came to the Drainage Board a year ago and they have had no action and are again requesting the drainage problems be resolved as this development was approved by Hendricks County and the homes were all granted building permits through the County and this is not in a floodplain. He explained this problem is the result of development and growth within the Town of Brownsburg directing additional water through this drain.

Mike (Kirby) Myers, Donnelly Heights, complimented Commissioner Wathen for coming out to look at this situation and stressed he was unable to sell his home due to the flooding problems in this development.

Phyllis Roush, Donnelly Drive, questioned if this drain was part of the Nash - Trucksess Legal Drain or a private drain. Ms. Roush presented several years of correspondence relating to this water/drainage problem and a map showing the water flow in this development.

Surveyor David Gaston explained this drain is not a part of a legal drain and advised they had looked at the Donnelly Heights development.

Greg Steuerwald explained some options to resolve this issue for the homeowners and the County. There was discussion of drainage in this area.

It was the consensus of the Commissioners for the property owners to meet with Surveyor David Gaston, County

Engineer John Ayers, Commissioner Wathen and Mr. Myers to look at options and financial cost to resolve this issue.

IN THE MATTER OF CYPRESS MANOR

James McBryant presented an application for admission of a resident to Cypress Manor and stated this individual has applied for financial assistance. There was discussion of accepting this resident. Commissioner Palmer moved to approve and accept the application of this resident based on the recommendation of James McBryant and contingent to the applicant securing funds to pay his room and board at Cypress Manor. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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 with the following joining the meeting:

John Parsons, Systems Administrator	Doug Morris, Network Administrator
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IN THE MATTER OF TECH BOARD

John Parsons reported the fiber connection from the Sheriff’s computer system to the Hendricks County Communications Center is now up and working.

John Parsons presented the number of hits on the County web site.

John Parsons listed the County record books that have now been put on the Book-Eye System including all of the Commissioners’ minute books, Council minute books, Voter Registration books, Assessor’s plat book by townships, all marriage license records, the oldest book of Circuit Court, and the birth and death records from the hand written books. Also added on the Book-Eye System are maps, resolutions, ordinances and road books.

John Parsons stated they plan to put the 136,000 property card records from the Auditor’s Office on Book-Eye, but stressed it will require a lot of time of his staff to complete this project. Auditor Cinda Kattau explained these cards are transfer cards up to 2003 and it would be most helpful if these cards could be on the Book-Eye system as they are becoming worn from use and handling.

John Parsons advised they are working on the computer system for the new work release center and new animal control facility and he will take a walk through this week to make the final plans for these two new facilities.

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..

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

IN THE MATTER OF WORK RELEASE

Auditor Cinda Kattau stated she will be meeting with the new work Release Director, Bridgett Collins, next week to discuss the Work Release budget for the rest of 2008 and for 2009.

IN THE MATTER OF PLANNING DEPARTMENT - CONTRACT

Receipt was acknowledged of an email from Don Reitz, Planning Director, advising he will be out of the office June 3, 2008 and requesting to continue the Agreement for Consulting Planner Assistance with The Planning Workshop to the June 17, 2008 meeting. There was discussion of this request and of the agreement with The Planning Workshop to provide planning assistance to the planning staff and plan commission including preparing an amendment to the Hendricks County Subdivision Control Ordinance that would revise the Divisional Lot Splits, process and standards, replacing them with an administrative plat process and standards. Commissioner Wathen moved to approve the contract for professional service with The Planning Workshop, not to exceed \$5,000,

contingent on the final draft being reviewed by County Engineer John Ayers, Planning Director Don Reitz, Surveyor David Gaston and Commissioner Wathen before going to the Plan Commission. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COMMUNICATIONS CENTER

Mike Graham presented a request from Larry Brinker, Executive Director Communications Center, to send a letter to David Smith, Director of Implementation, Integrated Public Safety Commission. Mr. Graham presented a draft letter authorizing the State of Indiana, on behalf of the Integrated Public Safety Commission (IPSC), to co-license the specified frequency(s) reserved and allocated for Hendricks County, Indiana in the Indiana Region 14 Public Safety Communications Plan, for use within the Project Hoosier SAFE-T join, wide area trunked 800 MHz, voice and data system; specifically, on the Danville and Plainfield Indiana simulcast radio sites in Hendricks County. The State of Indiana, on behalf of the Integrated Public Safety Commission, will relinquish such shared frequency, back to the County, should the County request. The following frequencies are hereby authorized:

- 866.1500MHz, allocated to Hendricks County, Indiana
- 866.6125MHz, allocated to Hendricks County, Indiana
- 867.1375MHz, allocated to Hendricks County, Indiana
- 867.5375MHz, allocated to Hendricks County, Indiana
- 868.1750MHz, allocated to Hendricks County, Indiana

Commissioner Wathen moved to approve and execute the letter to Mr. Smith, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIDGE NO. 25

John Ayers reported the heavy rain on Friday, May 30, 2008 caused water to flood over several County roads. He also advised that Bridge No. 25, located in White Lick Creek Estates over the Beaman Ditch, flooded and resulted in damage to this road and bridge. Mr. Ayers advised this bridge is scheduled for bid opening on June 17, 2008 and they plan to start replacement of this bridge when the bid is awarded.

IN THE MATTER OF HIGHWAY GARAGE

John Ayers reported they have started the foundation and walls for the additional restrooms to be built at the Highway Garage.

IN THE MATTER OF RAILS TO TRAILS

John Ayers reported the B&O Rails to Trails project will be using Federal Transportation Enhancement programs and grants with the County serving as a pass-thru agency at no cost to the County. He stated they are ready to start the trail design from County Line Road to 1050N and he will be working with them on the design and will provide an update on the trail project.

IN THE MATTER OF MPO

John Ayers presented the MPO Resolution for 2010 Active Transportation Campaign. It was the consensus of the Commissioners to wait on making a decision on this MPO resolution until a response is received from Dennis Faulkenberg and Laurie Maudlin of Appian.

IN THE MATTER OF TOWN OF AVON

John Ayers advised he had talked with representatives from the Town of Avon regarding removal of the weight restriction signs posted on the portion of the Ronald Reagan Parkway within the Town of Avon and they indicated the

Council has not made any change to their existing weight limit restrictions within the Town of Avon.

IN THE MATTER OF RIETH RILEY EXPANSION

Commissioner Palmer questioned several emails she has received relative to expansion of the Rieth Riley asphalt plant, east of Danville. John Ayers explained that Rieth Riley has asked to reconfigure their plat. Greg Steuerwald stated this is requires administrative action in the Planning Department and will not come before the Commissioners.

IN THE MATTER OF 56TH STREET

John Ayers advised he has sent additional figures to the Town of Brownsburg, relative to 56th Street, but they are requesting a more detailed payment schedule at this time.

IN THE MATTER OF CR 700N - CULVERTS

John Ayers responded to requests to widen two culverts on CR 700N and advised these culverts are not on the replacement list at this time. Mr. Ayers stated he will check on these culverts and report back.

IN THE MATTER OF CONSERVATION CLUB DAM

John Ayers advised he is setting up a meeting with the Department of Natural Resources (DNR) and Mike Graham to give them a status report on finding a solution to repair or remove all of the deteriorating Conservation Club dam.

Mike Graham stated Sycamore Services is interested in buying 2.8 acres from the County.

Greg Steuerwald reported on a meeting with some Board Members of Hendricks Regional Health and they have expressed an interest in fixing and maintaining the dam and lake, if the County gives them the land.

IN THE MATTER OF EMAIL

There was discussion of the Commissioners responding to emails. Commissioner Wathen stated employees should express their concerns internally and not send them to the newspapers, however, he stated he trusted the papers will not print an anonymous letter/email.

IN THE MATTER OF 100K MEETINGS

Commissioner Whicker acknowledged the 100K meeting scheduled for Thursday, June 12, 2008. It was the consensus of the Commissioners for Commissioner Palmer to attend this meeting on their behalf.

CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence and calendar::

- 1. IDEM Office of Air Quality, Notice of Decision-Approval, NuStar Terminals Operations Partnership
- 2. IDEM Office of Air Quality, Notice of Decision: Approval-Effective Immediately, Steel Dynamics

Action needed/taken on the following:

- 1. Checks received and signed to the county:
 - a) Governmental Insurance Exchange \$1,625.11 Vehicle Damage
 - 2. Whicker signed vehicle titles for the following:
 - 3. Documents needing action:
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HIGHWAY DEPARTMENT

Receipt was acknowledged of the May 23 to May 29, 2008 Highway report from Martin Summers, Highway Superintendent.

HUMAN RESOURCES DEPARTMENT

Receipt was acknowledged of the Human Resources report of May 27 thru May 30, 2008 from Ron Love, Human Resources Director.

IN THE MATTER OF TORT CLAIM – COOPER

Receipt was acknowledged of a Tort Claim from Keller & Keller for Alex Cooper relative to incident of November 30, 2007 within the Town of Plainfield. The original was hand delivered to Rich Jensen, Stevenson & Jensen and a copy faxed to Attorney Greg Steuerwald.

IN THE MATTER OF WORKSHOPS

Commissioner Whicker announced a Regional Sewer Board workshop at 1:00 PM today in room #3 with Aqua Indiana to review fees.

Commissioner Whicker announced a Commissioners’ workshop at 2:30 PM today in room #3 with Mary Anne Lewis, Chief Animal Control Officer, to review policy for the new animal control facility.

IN THE MATTER OF WAGE HEARING

Commissioner Whicker announced a Wage Hearing scheduled for Monday, June 9, 2008 at 4:00 PM in the Government Center. This is a reschedule of a previous meeting to adopt a wage scale for nine Hendricks County Highway projects.

Commissioner Wathen moved to adjourn the Commissioners’ meeting at 11:35 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

David A. Whicker, President

Phyllis A. Palmer, Vice President

Eric L. Wathen Member

ATTEST: _____
Judith Wyeth, Deputy Auditor
