

July 22, 2008

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, 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
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Don Reitz		Hendricks County Planning 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 Wathen moved to approve the minutes of July 15, 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 #184400 thru 184407, #184771 thru 184802, #089506 thru 089661

and direct deposit #040554 thru 040936, as advertised. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF RECOGNITION

Commissioner Palmer reported the Recognition Committee has selected three individuals to be recognized for outstanding service: Andrew Violes and Sarah Ridgeway were recognized as Citizens making a Difference in Hendricks County. Mr. Violes and Ms. Ridgeway stopped in the rain on their way to their high school prom to help an individual in need.

Leonard Keller was recognized for his outstanding and dedicated service as an Employee making a Difference in Hendricks County. Mr. Keller cancelled his vacation and took his trailer to the Lowe’s parking lot in Avon, where he and his wife worked for 27 hours collecting supplies in their trailer to help victims of the floods in Indiana.

They were each presented with a certificate and an engraved nameplate for each will be added to the permanent plaque in the first floor hall of the Government Center.

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IN THE MATTER OF EXIT 59

Dennis Dechow, Lauth, advised the bid packet for the Westpoint Business Park Phase 1 infrastructure and associated improvements to I-70 westbound approach ramp and SR 39 has been executed and packets are available. He stated the legal notice has been published in two local papers. Mr. Dechow also stated they are working on the bid process and plan to begin construction of this project in September of 2008. He further advised they have received their road cut permits from INDOT.

Greg Steuerwald stated Bruce Donaldson, Barnes & Thornburg, has requested a meeting with a Commissioner this week to discuss how the Memorandum of Understanding (MOU) is proceeding for the Kite Development of 70 West Commerce Park . It was the consensus of the Commissioners that Commissioner Wathen be their representative at this meeting.

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IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers advised that he and Commissioner Wathen will meet with representatives from Appian in August to discuss the Ronald Reagan Parkway.

John Ayers presented the July 15, 2008 monthly report from Dennis Faulkenberg, Appian, relative to the Ronald Reagan Parkway.

John Ayers advised the landscaper is working within the median of the Ronald Reagan Parkway, south of US 40.

John Ayers stated the County has some excess property in the vicinity of the Ronald Reagan Parkway, located south of US 40 as the result of only a portion of the purchased parcel being used for right-of-way. He stated an adjoining neighbor had inquired about purchasing this excess property and he recommended that the unused portion be advertised and sold. Commissioner Palmer moved to approve the advertising and selling of the County’s unused lot south of US 40 near Ronald Reagan Parkway, as recommended by the County Engineer. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers reference his July 8, 2008 memo on INDOT cost estimate for the Ronald Reagan Parkway. Receipt was acknowledged of the Appian Activity Report of July 15, 2008 from Dennis Faulkenberg for the

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IN THE MATTER OF JUDICIAL CENTER

Jeff Martin, Danville Town Council President, came forward to address and update the Commissioners concerning the future Judicial Center. Mr. Martin offered the County the assistance and cooperation of the Town of Danville to keep the judicial center in Danville and requested to be included in a feasibility study on this project. Commissioner Whicker announced there would be a presentation on the space needs study completed by Banning Engineering and Arc Design at the Joint Commissioners and Council meeting on Thursday, August 14, 2008 at 4:00 PM and invited Mr. Martin and the Danville Council to attend.

Jeff Martin stated the Danville Town Council will be relocating the Danville Town Hall very soon and they want to be proactive with the County.

IN THE MATTER OF WORK RELEASE CENTER

John Ayers announced the new Work Release Center ribbon cutting ceremony will be held on Friday, August 22, 2008 at 1:30 PM at the new facility. There was discussion of a Commissioner speaking at the opening ceremonies for the Work Release Center. It was the consensus of the Commissioners that Commissioner Whicker would be the speaker representing the Commissioners at the dedication ceremony of the Work Release Center on August 22, 2008. Commissioner Whicker announced that Chief Justice Shepherd will also speak at the Work Release Center opening ceremony.

IN THE MATTER OF ANIMAL SHELTER

There was discussion of a Commissioner speaking at the opening ceremonies for the new Animal Control Facility during the ribbon cutting ceremony on Thursday, August 14, 2008 at 1:00 PM. It was the consensus of the Commissioners that Commissioner Whicker would be the speaker representing the Commissioners at the dedication ceremony of the Animal Control Facility on August 14, 2008.

IN THE MATTER OF ORDINANCE NO. 2008-05  
ZA 391/08: K. S. HENDRICKS, LLC

Don Reitz presented ZA-391-08: KS Hendricks, LLC., a zoning amendment change from RSS/Regional Support Services District, RA/Rural Residential District and GB/General Business District to RSS/Regional Support Services District and GB/General Business District for 62.535 acres in Liberty Township, located north of I-70 along CR 1000S and along CR 900S and west of SR 39, along CR 100E and CR “0” (Paul Kite Company). Mr. Reitz explained the two self-imposed conditions of the developer: For one (1) acre to be reserved for public safety purposes; and for meeting Gateway Logistics Center Development Standards. He also stated the Plan Commission held a public hearing on July 8, 2008, with no remonstrators, and sends this zoning request with a favorable recommendation of 4-0-0. Commissioner Palmer clarified the vote was 4-0-0 due to three members of the Plan Commission not being in attendance at this public hearing. Commissioner Palmer moved to approve the zoning request of ZA-391/08: K. S. Hendricks, as Ordinance No. 2008-05, with self-imposed conditions and as recommended by the Plan Commission. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ZONING ORDINANCE

A draft letter to the Plan Commission was presented with the requested overlay changes to the I-74 and Ronald Reagan Parkway interchange that were approved by the Commissioners on July 15, 2008. It was the consensus

of the Commissioners to approve the letter to the Plan Commission and for the President to sign on behalf of the Commissioners.

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IN THE MATTER OF SYCAMORE SERVICES

Marcia Lynch, Director of Community Relations for Sycamore Services, presented two applications for grants to provide two part-time attendants who will escort specific riders as needed and to buy two additional vehicles for the LINK Hendricks County fleet. This grant will provide for one additional vehicle in Hendricks County and personal service for one additional vehicle in Morgan County. Ms. Lynch presented Section 5317 New Freedom Program Assistance Application with effective date of January 1, 2009 through December 31, 2009 and stated his grant would provide for the two part-time attendants. Commissioner Palmer moved to approve the renewal grant application Section 5317 for personal assistance of \$40,000, at no cost to the County as the Sycamore existing budget will be used. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Marcia Lynch, Director of Community Relations for Sycamore Services, also presented Section 5316 Job Access and Reverse Commute (JARC) Assistance Application for funding in 2009 and stated this grant will provide two additional vehicles for LINK. Commissioner Palmer moved to approve the request from Mrs. Lynch for grant 5316 application form 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.

Marcia Lynch presented the 2008 first quarterly report from Sycamore Services and explained LINK Hendricks County had provided 14,178 passenger boardings for citizens of Hendricks County.

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IN THE MATTER OF DANVILLE TOWN COUNCIL

Commissioner Palmer congratulated Marcia Lynch on her recent appointment to the Danville Town Council to fulfill the unexpired term of Myron Anderson. Mrs. Lynch noted that she is the first woman to serve on the Danville Town Council.

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IN THE MATTER OF WASHINGTON TOWNSHIP ASSESSOR

Receipt was acknowledged of new legislation, C-3-10-9-3, from Laura Herzog, Election Supervisor, with documentation stating the County Commissioners shall certify the public question of “Should the assessing duties of the elected township assessor in the township be transferred to the County Assessor”. This will be townships the County Auditor has certified the number of parcels of real property on January 1, 2008 was at least fifteen thousand (15,000). Auditor Cinda Kattau has certified Washington Township is the only township in Hendricks County that meets this number. Commissioner Wathen moved to comply with C-3-10-9-3 to certify to the Hendricks County election board to place on the Washington Township ballot for the 2008 fall General Election the question, “Should the assessing duties of the elected township assessor in Washington Township be transferred to the County Assessor”. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF COURTHOUSE USE

Receipt was acknowledged of a written request from Connie Phillips, on behalf of Tri Kappa, to use the Courthouse restrooms and water spigots at Adult Probation during their annual Tri Kappa Fair on the Square on Saturday, September 6 and Sunday, September 7, 2008, as they have in previous years. Commissioner Palmer moved

to approve the Tri Kappa request for their annual Fair on the Square on September 6 and 7, 2008 and that the County janitorial staff required for this event be funded by Tri-Kappa. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Receipt was acknowledged of a written request from Bethany Higginbotham for use of the Courthouse rotunda for her wedding on Saturday, September 12, 2009. This request is for the wedding only as the reception will be held elsewhere. Commissioner Wathen moved to approve the request of Bethany Higginbotham to schedule her wedding in the Courthouse on Saturday, September 12, 2009, subject to the conditions of the County Policy for Courthouse Use. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF WORK RELEASE CENTER - EQUIPMENT

In response to a request from Bridgette Collins, Director Work Release Center, for three copiers for the Work Release Center there were quotes presented. There was discussion of the requested size and number of copiers and of obtaining additional quotes from another vendor. It was the consensus of the Commissioners to obtain additional pricing for Canon copiers and to verify with the Director on the size and number of copiers requested and to bring back to the August 5, 2008 meeting.

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IN THE MATTER OF CR 200N AND RACEWAY ROAD

John Ayers presented Change Order No. 1 from Rieth Riley for the road improvements at the intersection of CR 200N and Raceway Road which was bid at \$634,000. Mr. Ayers stated this Change Order is in the amount of \$8,363 and that this will be the only change order for this road project. Commissioner Wathen moved to approve Change Order No. 1 from Rieth Riley for the intersection of CR 200N and Raceway Road in the amount of \$8,363 and authorize the President to sign on behalf of the Commissioners. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF 56<sup>TH</sup> STREET

Commissioner Wathen stated he and Councilman Jay Puckett had met with representatives of the Brownsburg Town Council and explained the formula for the Wheel Tax distribution for road maintenance. They also discussed the proposed funding for improving 56<sup>th</sup> Street. He stated they also discussed how Brownsburg could pay back the bond if they decided to annex an area along the improved section of 56<sup>th</sup> Street into the Town. Commissioner Wathen stated the Brownsburg Town Council will vote on this matter at their August meeting.

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IN THE MATTER OF WHITE LICK CREEK BRIDGE

John Ayers explained that several citizens were concerned about flooding when the new bridge in White Lick Creek Estates is completed and that he presented them with the plans and advised them the bridge will be five feet higher than the previous bridge. Mr. Ayers also advised that there was citizen concern over the maintenance of the emergency exit road and who should maintain this road. Mr. Ayers will continue to evaluate this concern.

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IN THE MATTER OF 4-H FAIR

Commissioner Palmer announced the 2008 Hendricks County 4-H Fair is now in progress and invited everyone to go out and enjoy the fair.

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IN THE MATTER OF CORRESPONDENCE

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

1. IDEM General Permit Renewal, NPDES CAFO, Himsel Brothers Farm

**Action needed/taken on the following:**

- 1. Checks received and signed to the county:
  - a) The Cincinnati Insurance Companies \$1,953.00 Vehicle Damage
- 2. Whicker signed vehicle titles for the following:
  - a) 19996 GMC Van Animal Control
- 3. Documents needing action: None

IN THE MATTER OF VETERANS

Receipt was acknowledged of the June 2008 Veterans’ report from Lori Turpin, Veterans’ Service Director.

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the July 15, 2008 Weights and Measures Monthly Report from Charles Colbert, Weights and Measures Inspector.

IN THE MATTER OF HIGHWAY DEPARTMENT

Receipt was acknowledged of the July 11 to July 17, 2008 Highway report from Martin Summers, Highway Superintendent

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the July 14 to July 18, 2008 Human Resources report from Ron Love, Human Resources Director.

IN THE MATTER OF POWER OUTAGE

Commissioner Palmer questioned the power outage at various County buildings on Monday, July 21, 2008. Mike Graham explained the power was off for over an hour in the Government Center, Courthouse and Adult Probation. He stated a deputy had called Duke Energy and was advised the power would be off until late that evening, therefore, employees were sent home around 2:00 PM. Mr. Graham stated that the power did come back on later that afternoon, however, the servers had to recharge and the County computers were not operating for the remainder of the day.

Commissioner Wathen moved to adjourn the Commissioners’ meeting at 11:30 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

