

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, November 18, 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
Martin Summers		Hendricks County Highway Superintendent
Ron Love		Hendricks County Human Resources Director
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 November 12, 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 #187762 thru 187771 as advertised. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Mike Graham reported the Paul Kite representatives were still working on the proposed Memorandum of Understanding (MOU) for their property at Exit 59. John Ayers stated he will be meeting later today with representatives from Kite on a prospective developer for Exit 59 and a change in the road layout.

Commissioner Whicker announced the Regional Sewer Board will be accepting bids on December 16, 2008 for the waste water infrastructure at Exit 59.

Commissioner Whicker stated that Lauth continues to move dirt for the interior road for their proposed development of Westpoint Business Park.

Commissioner Whicker also advised the Reginald Sewer Board has sent an availability letter for Love’s Truck Stop to be located at Exit 59.

IN THE MATTER OF RONALD REAGAN PARKWAY

Commissioner Wathen explained a meeting he had attended on November 17, 2008 with Regional Sewer Board consultants for potential developers on Ronald Reagan Parkway.

Commissioner Wathen stated he and John Ayers met with residents in Wayne Township, Marion County, and INDOT relative to widening Rockville Road from I-65 to Transfer Road, just east of the railroad overpass in Marion County.

John Ayers announced the State final inspection of the I-74 and Ronald Reagan Parkway interchange will be on site on November 17, 2008.

John Ayers presented the Warranty Deed that stated the Board of Hendricks County Commissioners conveys and warrants to Mary Rose Skinner, Margaret Ann Coll and Dennis E and Patricia S. Grundy the Successors, as trustees of the Grundy Family Trust dated February 15, 1996 a one third interest each (Grantees) of Hendricks County for the sum of two thousand five hindered dollars (\$2,500) for 0.080 acre located south of US 40 and adjacent to the Ronald Reagan Parkway. Mr. Ayers stated we have received the check for the purchase price of \$2,500. Commissioner Wathen moved to accept and sign the warranty deed, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF JUDICIAL STUDY

John Ayers advised he has been meeting with representatives from Banning Engineering on the Judicial Study that will be presented to the joint meeting of the Commissioners and Council on Thursday, December 11, 2008 at 4 PM.

IN THE MATTER OF ANIMAL CONTROL

John Ayers advised there was nothing new to report on the animal control facility.

IN THE MATTER OF HIGHWAY SUPPLIES BIDS

John Ayers stated they had received and reviewed all bids received on October 28, 2008 for Highway supplies for the 2009 Calendar Year and stated all bids are on file in the office of the Hendricks County Auditor. Martin Summers and he recommended he following bids/quotes be awarded

<u>UNLEADED GASOLINE</u>	Pinkerton Fuels	\$1.8925/gal.
<u>DIESEL FUEL</u>	Pinkerton Fuels	\$2.2480/gal.
<u>WINTERIZED DIESEL</u>	Pinkerton Fuels	\$2.2655/gal.
<u>STONE</u>	Ohio River Trading Company	Primary for Crushed Stone
	Lincoln Park Stone	Secondary for Crushed Stone
	US Aggregates	Fill Sand and Pea Gravel
<u>PIPE – GALVANIZED</u>	Award to all due to range of items	
	Metal Culverts Inc.	
	St. Regis Culvert, Inc.	
	CPI Supply	
<u>PIPE – ALUMINIZED</u>	Award to all due to range of items	
	Metal Culverts Inc.	
	St. Regis culvert, Inc.	
	CPI Supply	

<u>PIPE – PVC</u>	Award to all due to range of items	
	St. Regis Culvert, Inc.	
	CPI Supply	
	HD Supply Waterworks	
Regarding Items that were quoted, the following were recommended:		
<u>SIGNS</u>	Hall Signs	Primary on traffic signs Secondary on street name signs
	Highway Technologies	Secondary on traffic signs Primary on street name signs Primary on sign posts
<u>TIRES</u>	Award to all due to range of items	
	Sparks Commercial Tire	
	Pomp’s Tire	
	Indy Tire	
	Sullivan’s Tire	
	Tredroc Tire Service	
<u>OIL and LUBES</u>	Award to all due to range of items	
	Miller Industrial Fluids	
	Sullivan’s Tire	
	Jackson Oil	

John Ayers explained that often bids were awarded to two or three bidders for availability and various sizes. Martin Summers stated that most of these vendors have previously serviced Hendricks County John Ayers again stated that all bids and quotes received for 2009 Highway supplies are on file in the office of the Hendricks County Auditor, Hendricks County Government Center, 355 South Washington Street, Danville, IN. Commissioner Wathen moved to accept the recommendations of the County Engineer and Highway Superintendents and to award bids as listed on the MEMO as the lowest, most responsive and responsible bids/quotes received. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Martin Summers reported they have a full barn of salt at this time.

IN THE MATTER OF BARN ON CR 800N

There was discussion of the County barn and property located on CR 800N. Martin Summers stated a neighbor has been crossing this property with construction equipment . Mr. Summers stated he is going to put up a cable to keep this neighbor off the County property. He further indicated the Highway Department previously kept road equipment on this property, however, they no longer use the property or the barn. Greg Steuerwald explained the process for proof of ownership and recommended a title search of this property before determining what will be done with it. Commissioner Palmer moved to authorize John Ayers to go through the proper steps to determine ownership of this property and to obtain quotes from two title companies to do this title search. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CONVENTION AND VISITORS BUREAU

Emory Lencke, Executive Director Hendricks County Convention and Visitors Bureau, presented a feasibility analysis of a potential new hotel/conference center in Hendricks County, Indiana that was prepared by Conventions Sports & Leisure International (CSL). Mr. Lencke explained how developing a conference center in Hendricks County could bring new money to the County.

IN THE MATTER OF EMPLOYEE REINSTATEMENT

Mike Graham reported that on November 13, 2008 the Council considered the proposed reinstatement policy for those employees to start drawing PERF (Public Employee Retirement Fund) retirement benefits at age 62. Mr. Graham stated the Council had many questions and after their discussion of this proposed policy they passed a motion to support the Commissioners on their determination regarding the proposed policy. Commissioner Whicker moved to adopt the proposed employee reinstatement policy, as presented Commissioner Wathen seconded the motion.. There was further discussion. Ron Love explained the changes in the legislation that permits employee rehire after 30 days rather than 90 days. John Ayes explained how this policy could affect the Engineering office. Commissioner Whicker withdrew his motion. Commissioner Wathen withdrew his second. It was the consensus of the Commissioners to revisit this matter in January 2009.

IN THE MATTER OF INDOT 5311 GRANT - LINK

Marcia Lynch, Director of Community Relations Sycamore Services, presented the INDOT 5311 Operating Assistance Grant Agreement 18027430 for LINK Hendricks County. Ms. Lynch explained this is a matching grant in the amount of \$437,792. They will receive \$155,154 from the State to use for the match and the balance of \$282,638 will be funded from other grants, donations and County appropriation. Commissioner Whicker moved to approve the INDOT 5311 Operating Assistance Grant for LINK and authorize the President to sign on behalf of Hendricks County. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Wathen moved to recess the Commissioners' meeting at 10:30 AM for the Tech Board. 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 information from John Parsons, Systems Administrator, there was nothing to bring before the Tech Board on this date. Commissioner Palmer moved to adjourn the Tech Board at 10:32 AM. Commissioner Wathen 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 CYPRESS MANOR - FLOOR POLISHER

Mike Graham reported the floor buffer at Cypress Manor needs to be replaced as the equipment is over 40 years old and the cast metal piece that holds the buffing pads has broken off and can not be repaired. Mr. Graham stated James McBryant would like authorization to buy a new commercial grade buffer at a cost of \$1,000 to \$1,500, however, Cypress Manor does not have a 2008 budget line item for equipment. Commissioner Wathen moved to allow James McBryant to purchase a new commercial grade floor polisher/buffer, not to exceed \$1,500, and to fund from the Commissioners equipment line. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EMERGENCY GENERATOR

Mike Graham reported that during a previous Tech Board meeting the Commissioners talked about the requirement of having a backup generator primarily for Nursing, Emergency Management and the Computer departments. He stated John Parson has provided estimates of approximately \$200,000 to provide backup electricity for all of the Government Center and that all of the options are very expensive. Mr. Graham explained if the Commissioners decide to provide this back up system it would be better to fund from the 2008 budget rather than the 2009 budget as the Commissioners equipment budget for 2009 will be reduced and recommended encumbering the funds before the December 19, 2008 deadline. Commissioner Palmer advised she is pursuing a grant from Duke Energy, to help pay for this equipment and has met with Bart Beal, Duke Energy, to discuss assistance in obtaining an emergency generator for the Government Center. There was discussion of this generator. John Ayers questioned the wiring for the generator. It was the consensus of the Commissioners for John Ayers to work with John Parsons on the generator and the wiring and bring back a recommendation.

IN THE MATTER OF AMATEUR RADIO

Receipt was acknowledged of a request from Dr. Jay Wright, Amateur Radio., for 16 plaques and 27 certificates to present to citizens for their dedicated and valuable service during their 21 Annual Amateur Radio 27 Recognition Night on December 3, 2008 at 7 PM in the Government Center and for a Commissioner to present these awards during the program. It was noted these recognition awards have previously been funded from the promotion line in the Commissioners' budget. Commissioner Whicker moved to approve the purchase of Amateur Radio plaques and certificates and to again fund from the Commissioners' budget. Commissioner Palmer seconded the motion and the motion was approved 2-0-1 with Commissioners Whicker and Palmer voting aye and Commissioner Wathen abstaining. Commissioner Whicker volunteered to attend the program and present the awards on behalf of the Commissioners.

IN THE MATTER OF PLAINFIELD SCHOOLS – WAGE COMMITTEE

Receipt was acknowledged of a request for an appointment to the Wage Committee from Jud Wolfe, Assistant Superintendent of Plainfield Community Schools. A list of previous appointees to this committee for the Plainfield School was noted. It was the consensus of the Commissioners to appoint Dennis Gibbs to again serve on the Wage Committee for the Plainfield Community Schools.

IN THE MATTER OF ORDINANCE 2008-09 CR 471E – SPEED LIMIT

John Ayers reported they had received several requests from residents of Tout School Creek Estates for a speed limit on CR 471 E, from CR 1000N to the end of the road, to better control speeders in that area, He requested a 35 mph speed limit be established. Commissioner Whicker stated this public hearing had been duly advertised and opened the public hearing for public comment on this ordinance to establish a 35 mph speed limit on CR 471E. There was no comment. Commissioner Whicker closed the public hearing. Commissioner Palmer moved to adopt Ordinance 2008-09 to establish a 35 mph speed limit on CR 471E from CR 1000N to the end of the road, as presented by the County Engineer. Commissioner Whicker seconded the motion and the motion was approved 2-1-0 with Commissioners Whicker and Palmer voting aye and Commissioner Wathen voting nay.

IN THE MATTER OF ORDINANCE 2008-10
HILL VALLEY DRIVE SPEED LIMIT

John Ayers stated at the request of residents on Hill Valley Drive in Hill Valley Estates for a speed limit to better control speeders in this area he was requesting a speed limit of 20 mph be posted for Hill Valley Drive. Commissioner Whicker stated the public hearing has been duly advertised for an ordinance to establish a 20 mph speed limit on Hill Valley Drive in Hill Valley Estates and opened the public hearing for this speed limit ordinance. There was no public comment. Commissioner Whicker closed the public hearing. Commissioner Wathen moved to approve Ordinance 2008-10 to establish a 20 mph speed limit on Hill Valley Drive. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ORDINANCE NO. 2008-11
WEIGHT RESTRICTIONS ON CR 200E

John Ayers explained that due to heavy trucks traveling on CR 200E from US 36 to Cartersburg Road he felt a weight restriction of no more than twenty (20) tons was needed on this road in order to protect this County road. Commissioner Whicker stated a public hearing has been duly advertised for an ordinance for a weight restriction of twenty tons on CR 200E from US 36 to Cartersburg Road and opened the public hearing. There was no public comment. There was discussion of the road area this weight restriction covered. John Ayers stated this request is for CR 200E from a short distance south of the Rieth Riley drive to Cartersburg Road. Commissioner Palmer moved to close the public hearing for weight restrictions on CR 200E from US 36 and to clarify the location this weight restriction would cover by and bring back for execution next week. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TILDEN TERRACE

John Ayers explained drainage problems in Tilden Terrace and stated he had requested quotes for scope of services to resolve this drainage issue. He stated he has received quotes for engineering services for drainage remediation from Chris Burke and form Banning Engineering and requested to award the proposal to Banning Engineering for \$31,100. There was discussion of the proposals and cost. It was the consensus of the Commissioners for John Ayers to review the proposals and bring back next week.

IN THE MATTER OF BRIDGE NO. 272

John Ayers explained the selection committee that is required for the design of federal funded projects and will be required for Bridge No. 227, located on CR 550 E over the CSX tracks. He stated there would be three staff members from the Engineering Department on this selection committee and requested a Commissioner to also attend. Commissioner Wathen volunteered, on behalf of the Commisisoenr, to review the proposal with County Engineer John Ayers.

IN THE MATTER OF DONNELLY HEIGHTS

John Ayers explained the culvert the County will replace in Donnelly Heights to help alleviate the drainage problems in this area.

IN THE MATTER OF CORRESPONDENCE

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

- 1. Cummins Behavioral Health Systems, Board of Directors Meeting, Thursday, November 20, 2008, Board Conference Room, Avon, IN, 7:00 p.m.
- 2. Town of Avon Christmas Open House, Tuesday, December 2, 2008, 6:00 p.m.-8:00 p.m., Court Room of Avon Police Department, RSVP to Sara Hubbard at 317-272-0948 by November 28th.
- 3. Indiana Association of Inspector of Weights and Measures Conference, March 10-13, 2009, Valparaiso, IN.
- 4. Avon Community School Corporation is hosting a meeting on Tuesday, December 2, 2008 beginning at 11:30 a.m. to discuss the implications of circuit breaker and strategy with regards to referendums in the future. RSVP to Lisa Perry at 317-272-2920.

Action needed/taken on the following:

- 1. Checks received and signed to the county: None
 - 2. Whicker signed vehicle titles for the following: None
 - 3. Documents needing action:
 - a. Cincinnati Insurance Companies Bond \$14,275.00 Animal Control Officer Travis Melton
 - b. Cincinnati Insurance Companies Bond \$15,000.00 Administrator to County Commissioners. Mike Graham
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IN THE MATTER OF TORT CLAIM

Receipt was acknowledged of a Tort Claim received from Nunn Law Office on behalf of Darrin Smith and Ann Smith for incident of September 26, 2008 within the Town of Brownsburg. The original has been hand delivered to Rich Jensen and a copy faxed to Greg Steuerwald.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for November 7 thru November 13, 2008 from Martin Summers, Highway Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the weekly Human Resources report for November 10 thru November 14, 2008 from Ron Love, Human Resources Director.

IN THE MATTER OF HOSPITAL ASSOCIATION

Commissioner Whicker announced the Hospital Association will meet at 3:00 PM on Tuesday, November 18, 2008 in the Government Center.

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 11:20 AM. Commissioner Wathen 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



