

December 9, 2008

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, December 9, 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
Judge David Coleman		Hendricks County Superior Court 2
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Dr. David Hadley		Hendricks County Health Director
John Parsons		Hendricks County Systems Administrator
Bridgette Collins		Hendricks County Work Release Director
Bill Roche		Hendricks County Parks 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 December 2, 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 #189739 thru 189767, #091289 thru 091448 and direct deposit #044332 thru 044724 as advertised. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Commissioner Wathen announced bids for the sewer lines at Exit 59 would be opened at 8:00 AM during the December 16, 2008 Regional Sewer Board meeting in the Hendricks Government Center.

Commissioner Wathen stated he and Mike Graham had met with individuals looking at developing the Kite property at Exit 59.

John Ayers advised the asphalt had been put down to protect the stone on the interior Lauth Road for the Westpoint Business Park development at Exit 59, however, no additional paving will be done this year. He also stated he plans to meet with representatives from Lauth on December 10, 2008 to discuss this road.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers stated he had submitted information to the MPO of possible uses of the proposed federal stimulus package. He has also talked with Dennis Faulkenberg and Laurie Maudlin of Appian and INDOT on the use of this stimulus package for the completion of the Ronald Reagan Parkway.

IN THE MATTER OF TOWN OF DANVILLE - INTERLOCAL AGREEMENT

Gary Eakin, Danville Town Manager, presented an interlocal agreement between the Board of Commissioners of Hendricks County, Indiana and the Town Council of the Town of Danville, Indiana to relinquish planning and zoning jurisdiction for over 1,400 acres including the landfill and the Hendricks County Airport - Gordon Graham Field. Mr. Eakin clarified the area, identified utilities and stated he will provide a legal description with boundaries of this property. He stated this property will be used for economic development. Mr. Eakin pointed out this is the target area, but this agreement could be used for property outside of the area. Greg Steuerwald clarified the agreement and stated the County has done this previously in a year that precedes a census. There was discussion of the November 17, 2008 memo from Don Reitz, Planning Director, stating that from a land use standpoint staff had no objection to this agreement and recommended its adoption. Commissioner Palmer moved to approve the interlocal agreement with the Town of Danville based on the memo from Don Reitz stating “staff has no objection to this agreement and recommends its adoption”, and authorized the President to sign the agreement on behalf of the Commissioners. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TOWN OF DANVILLE – BUILDINGS

Gary Eakin, Danville Town Manager, advised the Town of Danville is working to obtain the Danville Middle School when the school moves to their new facility and the Town is working on a Memorandum of Understanding (MOU) to make the current Town facility available to the County. Commissioner Whicker clarified the School Board had not made this transaction final at this time.

IN THE MATTER OF HUMANE SOCIETY

Wendy Smith, Hendricks County Humane Society, requested that now the animals and staff have moved into the new animal control center they would like to have the facility open for Saturday hours to provide time for families to visit the facility and possibly adopt more animals. Commissioner Whicker stated they would be discussing this matter later today with the Chief Animal Control Officer of this facility.

IN THE MATTER OF WORK RELEASE CENTER

Bridgette Collins, Director Work Release Center, presented statistics for the work release center as of December 8, 2008 including financial, employees, reports, NA/AA meetings, charges, current population, releases, contact with other counties, continuing education, major conduct, medical emergencies and full time staff. Ms. Collins explained the need for transportation for residents in the facility to go to and from their work places in order for them to maintain their jobs. The Commissioners requested Ms. Collins to check with LINK Hendricks County for this needed transportation. She also gave a brief report of their progress since opening the facility and some long range planning for assisting these individuals to become productive and independent employees.

IN THE MATTER OF JUDICIAL STUDY

Steve Craney, Banning Engineering, stated they were awaiting a fee proposal from NCSC for their assistance on working on Phase 2 of the judicial study. He indicated they anticipate receiving this fee proposal this week and explained the changes and scope of Phase 2. John Ayers explained some concerns and stated he is working with both Banning Engineering and NCSC. Mr. Craney stated he will make a presentation of the judicial study to the joint

meeting of the Commissioners and Council on Thursday, December 11, 2008.

John Ayers stated there were funds in the cum cap line that could be used to fund the judicial center study, phase 2. It was the consensus of the Commissioners to fund the judicial center study from cum cap.

IN THE MATTER OF COURT RECORDING EQUIPMENT

Judge David Coleman, Superior 2, explained the need for new court recording equipment was to replace outdated equipment that can no longer be repaired. He stated this recording equipment will be in a room previously used as the video court next to Superior 2, currently being utilized by special Judges and for taking depositions. John Parsons, Systems Administrator, presented a quote of \$6,720 from Van Ausdall & Farrar for this new recording equipment that was presented during the Tech Board meeting last week and requested this be funded from the equipment line in the Commissioners’ budget. Commissioner Palmer moved to approve the purchase of replacement recording equipment for the special courtroom, as requested by Judge Coleman, and to fund from the Commissioners’ budget. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PLAINFIELD – INTERLOCAL AGREEMENT

Rich Carlucci, Plainfield Town Manager, introduced Tim Belcher, Plainfield Town Engineer, and explained their request for an interlocal agreement for 1.3 acres on Reeves Road to relinquish planning and zoning jurisdiction for this parcel until it is annexed into the Town of Plainfield. Commissioner Whicker acknowledged the November 22, 2008 memo from Don Reitz, Planning Director, stating the staff suggests that the proposed interlocal agreement will eliminate a pointless rezoning through the County and permit the proposed change of land use to occur through the pertinent jurisdiction and stating that staff recommends approval of this interlocal agreement. Commissioner Palmer moved that based on the memo from Don Reitz to approve this interlocal agreement between Plainfield and Hendricks County and authorize the President to sign. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CARTERSBURG

The Commissioners inquired when Plainfield would supply sewer service agreement to residents of Cartersburg. Mike Graham gave a brief history of the sewer problems in Cartersburg. There was discussion of this problem. Rich Carlucci, Plainfield Town Manager, set the date of February 1, 2009 for Plainfield to provide an agreement to provide sewer service to residents of Cartersburg.

IN THE MATTER OF INDIANAPOLIS INTERNATIONAL AIRPORT

Al Bennett, Hendricks County appointee to the Indianapolis International Airport Board, gave an update on the new airport terminal and stated that all systems are going well, the initial landings received good reports from pilots, and all retail space is filled and is operating along with several new restaurants. He stated 20,000 people and 10,000 pieces of luggage daily pass through this new terminal. Mr. Bennett explained the Ambassador program was established to help assist travelers and has been so well received they may continue this program. He further advised the airport is working with the Hendricks County Parks on 200 acres near the airport.

IN THE MATTER OF PARKS DEPARTMENT – LAND ACQUISITION

Bill Roche stated he met with the Gibbs Family relative to 134 acres in Washington Township they would like to sell to the Hendricks County Parks and to establish a charitable gift annuity through the Hendricks County

Community Foundation. Mr. Roche explained the funding for the acquisition of this property and presented a funding plan. Commissioner Palmer requested the Hendricks County Parks and the Washington Township Parks to work together to best benefit the recreation needs of the citizens of Washington Township. Rich Carlucci, Plainfield Town Manager, explained Plainfield currently has 741 acres in Plainfield and Guilford Township designated for parks and stressed the need to start now to preserve park areas throughout Hendricks County. Mr. Roche requested the Commissioners support of this gift annuity and for them to authorize the County Auditor to cut a check in 2008 and a check in 2009 for this land acquisition for a park. Commissioner Palmer moved to approve the acquisition of this property in Washington Township and to authorize the Auditor to cut a check for this acquisition. Commissioner Whicker seconded the motion and the motion was approved 2-1-0 with Commissioners Palmer and Whicker voting aye and Commissioner Wathen voting nay.

IN THE MATTER OF VEHICLES – PARK BOARD

Bill Roche requested the use of a County vehicle by the Park Manager to commute between home and his/her primary work location from December 1 through March 31 each year. He stated the use of the vehicle during this time period will be permitted to enable the Park Manager to respond to snow removal. There was discussion that all rules and regulations of the Hendricks County Board of Commissioners, the State of Indiana and the Federal Government shall be applicable to this policy. Mr. Roche also stated this request was approved last year. Commissioner Palmer moved to approve the Park Manager to take home a County vehicle from December 1 through March 31 for this year and each year thereafter on a permanent basis. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PLANNING - DIGITIZE RECORDS

Mike Graham stated that last week the Commissioners approved \$20,613 to cover the cost associated with the Planning Department to digitize some building permit records. The total cost of the project is \$55,613 and the Planning Department agreed to pay \$30,000. He stated there was an error in his report and the stated amount was \$20,613, but it should be \$25,613. Mr. Graham asked the Commissioners to authorize the expenditure of \$25,613 instead of \$20,613 from the Commissioners’ budget to digitize some building records. Commissioner Palmer moved to approve the request to change the amount from the Commissioners’ budget to \$25,613 with the request that in the future to use staff to scan documents and subject to review of the proposal by counsel. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HEALTH BOARD

Mike Graham responded to the Commissioners’ request to obtain additional information regarding appointments to the Health Board and stated he contacted Cathy Grindstaff, Environmental Health Director, and was advised that a current citizen member, Diane Guljas, has submitted her resignation effective December 31, 2008. He further advised that Cathy Grindstaff informed him under the Indiana Code the local board of health shall provide a list of five individuals when a replacement is needed of which 3 need to meet certain professional experience requirements in a number of fields. Dr. David Hadley explained the process, the make-up of the board including political party affiliation and stated they did not have a written resignation from Ms. Guljas, however, they will probably receive

it this week and he will bring the resignation along with several names for the Commissioners to consider for appointment to fill this vacancy. He also stated if the Commissioners have a specific person they want on the Health Board they need to tell the health board and make sure the person is included in their recommended list.

It was noted the term of John Battershell expires on December 31, 2008. Commissioner Whicker moved to reappoint John Battershell to another four-year term on the Hendricks county Health Board through December 31, 2012. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF USE OF COURTHOUSE

Request was acknowledged of a request from Jody Buck to use the Courthouse rotunda for a small wedding with a possible reception of cake and punch at 6:30 PM on Tuesday, December 22, 2008 for approximately 50 people and noted they were scheduling the wedding around the time when the groom-to-be would be home from military service. It was also noted Ms. Burk had provided the deposit, however, she has not signed the agreement. Commissioner Palmer moved that due to this being a member of the military to approve use of the Courthouse rotunda for a wedding and reception on December 22, 2008. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF WAGE COMMITTEE - WEST CENTRAL CONSERVANCY

Receipt was acknowledged of a request from Alan Hux, Attorney for West Central Conservancy District, for an appointment to the Wage Committee for the West Central Conservancy District There was a discussion of previous appointees for the West Central Conservancy District. Commissioner Palmer moved to reappoint Richard P. Myers to serve on the Wage Committee for the West Central Conservancy District. Commissioner Whicker noted it was stated on the written request that Mr. Myers no longer lives within the West Central Conservancy District. Commissioner Palmer withdrew her motion. It was the consensus of the Commissioners to contact a previous appointee and to add this to the December 16, 2008 agenda.

IN THE MATTER OF COMMISSIONERS 2009 MEETING DATES

A draft letter was presented listing the 2009 dates for the Commissioners’ meetings for the first four Tuesdays of each month, to not meet on the fifth Tuesday and if a holiday falls on Tuesday the meeting will be moved to the following date. Commissioner Whicker moved to adopt the Commissioners’2009 meeting dates as presented and to execute the letter. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0. It was noted this letter will be sent to the *Republican* and *Flyer* for legal notice of meeting dates.

IN THE MATTER OF HURSEL DISNEY RETIREMENT RECEPTION

Commissioner Whicker announced there will be a chili luncheon/retirement reception for Hursel Disney on Thursday, December 11, 2008 from 11:00 AM to 1:30 PM in the Government Center lounge before the regular Council meeting in recognition of his many years of dedicated service to Hendricks County.

IN THE MATTER OF PAVEMENT AWARD

John Ayers presented the Quality Pavement Award that was presented to Hendricks County by the Asphalt Pavement Association of Indiana on December 2, 2008 for asphalt pavement construction on CR 500N from Maplewood to SR 39. The contractor for this project was Milestone Construction LP. This award will be displayed in the large display case in the Government Center.

IN THE MATTER OF HIGHWAY SALT BIDS

John Ayers presented a draft letter to Cargill Deicing Technology confirming Hendricks County is a participant in the contract entered into by Cargill and the City of Indianapolis on October 23, 2008 for highway salt for 2008-2009 on and that we intend to comply with the terms and conditions set forth in the agreement. Mr. Ayers stated we have ordered and received 100 tons of road salt. Commissioner Wathen moved to approve and sign the letter to Tony DiPietro, Strategic Account Manager for Cargill Deicing Technology of North Olmsted, Ohio for the 2008-2009 season. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF OFFICE EQUIPMENT

John Ayers requested to purchase a plotter for the Engineering Department for \$12,000. Commissioner Palmer moved to authorize the County Engineer to purchase a plotter for \$12,000 and fund from the Commissioners' equipment line. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers requested to purchase file cabinets for use in various County officers for a total of \$20,000 from the Commissioners' equipment line. There was discussion of this request. Commissioner Palmer moved to approve the purchase of up to \$20,000 for office furniture/equipment. Commissioner Whicker seconded the motion. Jack Josway, Bliss-McKnight, advised that due to the current economy there have been several firms go out of business and there could be a good selection of used file cabinets and office equipment available. The motion was approved unanimously 3-0-0.

IN THE MATTER OF ALCOHOLIC BEVERAGE COMMISSION (ABC)

There was discussion of the annual appointment to the Alcoholic Beverage Commission (ABC). It was noted that Gordon Hutchings had been contacted and he stated the first two years he served on the Alcoholic Beverage Commission (ABC) have been a learning experience and he would like to be considered for reappointment to the ABC. Commissioner Wathen moved to reappoint Gordon Hitchings to serve another term on the Alcoholic Beverage Board (ABC) through December 31, 2009. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REDEVELOPMENT COMMISSION - APPOINTMENTS

There was discussion of the Redevelopment Commission appointments that are to be made by the Commissioners. Commissioner Whicker stated he has talked with Robert Brenneman and he is agreeable to continue serving on this commission. Commissioner Palmer moved to reappoint Robert Brenneman to another one-year term on the Redevelopment Commission through December 31, 2009. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Palmer moved to reappoint Steven Denhart to serve another one-year term on the Redevelopment Commission through December 31, 2009. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Wathen moved to reappoint Bruce S. McDaniel to serve another one-year term on the Redevelopment Commission through December 31, 2009. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COUNTY ATTORNEY – CONTRACT

Attorney Greg Steuerwald presented the 2009 contract for legal services that was requested by the Commissioners last week when they reappointed the law firm of Steuerwald Zielinski & Witham as County Attorney for 2009. Commissioner Palmer moved to amend the presented contract with Steuerwald Zielinski and Witham for 2009 to increase the sum from \$37,500 to \$42,500 and to execute the contract. 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:

1. Sheltering Wings facilities study will be underway soon.
2. IDEM, Office of Water Quality, Facility Construction Section has received a sewer permit application from Pedcor Investments.
3. DNR, Indiana Heritage Trust Project Committee will be considering a project from DNR's division of Nature Preserves to acquire a 10.5 acre conservation easement at Burnett Woods Nature Preserve, the only state dedicated preserve in Hendricks County. The meeting will be held on December 16, 2008 beginning at 1:30 p.m. at the Abe Lincoln Lodge inside of Brown County State Park.
4. IDEM, receipt of Air Permit Application from Steel Dynamics, Inc-Engineered Bar Products Division, Pittsboro, IN.
5. IDEM, Office of Water Quality has received an application for public water supply project construction permit from Indianapolis Water Company for a property described as Greencastle Pump Station, located on Greencastle Road

Action needed/taken on the following:

1. Checks received and signed to the county: None
2. Whicker signed vehicle titles for the following:
 - a. 2000 Ford Ranger pickup Surveyor's Office
3. Documents needing action:

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the November 30 through December 4, 2008 Highway report from Martin Summers, Highway Superintendent.

IN THE MATTER OF VETERANS SERVICE

Receipt was acknowledged of the November 2008 Veterans' Services report from Lori Turpin, Veterans' Service Office.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the December 1 through December 5, 2008 Human Resources report from Ron Love, Human Resources Director.

IN THE MATTER OF EXECUTIVE SESSION

Commissioner Whicker announced there would be an Executive Session at 1:00 PM today to discuss 2008 accomplishments & 2009 objectives individually with the Commissioners' Department Heads and that an agenda had been duly posted.

IN THE MATTER OF JOINT MEETING

Commissioner Whicker announced the joint Commissioners and Council meeting scheduled for 4:00 PM on Thursday, December 11, 2008.

IN THE MATTER FIRE STATIONS

Commissioner Wathen stated they need to look at the status of the local volunteer fire stations when the trustees are removed. He stated he is looking at various grants for fire stations and particularly for fire protection for future development at Exit 59.

IN THE MATTER OF DANVILLE CONSERVATION CLUB DAM

Mike Graham advised he is waiting on a report from Sycamore Services on the Conservation Club dam before any further action is taken on this matter.

IN THE MATTER OF TRANSFER LETTERS

Letters were presented to transfer \$2,500 from Copy Machine Supplies to Copy Paper, \$6,000 from Liability to Postage and \$500 from Overtime to Board of Review. It was the consensus of the Commissioners to approve and sign these transfer letters to the County Auditor.

IN THE MATTER OF LIABILITY INSURANCE

Rich Jensen, Stevenson-Jensen Agency, introduced Mark Ennis, Bliss McKnight Risk Management Specialist and Jack Josway, Bliss McKnight Marketing Specialist. Mr. Jensen stated they are conducting training at the Highway Department and other departments and explained the process required for filing tort claims.

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 11:50 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

