

April 26, 2016

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, April 26, 2016 with a quorum of all three (3) Commissioners in the Commissioners’ Meeting Room on the first floor of the Hendricks County Government Center with the following in attendance:

Bob Gentry)	
Phyllis A. Palmer)	Hendricks County Board of Commissioners
Matthew D. Whetstone)	
Gregory E. Steuerwald		Hendricks County Attorney
Judge Karen Love		Hendricks County Superior 3 Judge
Cinda Kattau		Hendricks County Auditor
Brett Clark		Hendricks County Sheriff
Larry Scott		Hendricks County Assessor
John Ayers		Hendricks County Engineer
Michael E. Graham		Executive Advisor
Don Reitz		Hendricks County Planning Director
Julie Haan		Hendricks County Director of Environmental Health
Kevin Cavanaugh		Hendricks County Facilities Manager
Jim Mardis		Hendricks County Clean Water Director
LaDonna Hughes		Hendricks County Director Animal Control/Shelter
David Warren		Hendricks County Director of Emergency Management
Judith Wyeth		Secretary to the Commissioners

Commissioner Gentry opened the meeting and led the Pledge to the Flag in unison.

IN THE MATTER OF MINUTES

Commissioner Whetstone moved to approve the minutes of the April 12, 2016 meeting, as corrected.

Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

There was discussion of the claims. Commissioner Whetstone moved to approve Claims #109362 thru 109402, Direct Deposit #138911 thru 139356 and all claims presented April 14, 2016 thru April 27, 2016.

Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF JUVENILE DETENTION ALTERNATIVE INITIATIVE

Judge Karen Love came forward to present the Grant Agreement EDS #D25-17-525 Juvenile Detention Alternative Initiative (JDAI) and explained this grant for Juvenile Justice. She stated this is the first of a two part contract and the other part will be presented later. There was discussion of this grant and of this proposed program. Greg Steuerwald acknowledged he has reviewed this contract. Commissioner Whetstone moved to approve the Indiana Department of Corrections grant with the Auditor of Hendricks County in the amount of \$55,000 for the Juvenile Detention Alternative Initiative, County Contract #0027-2016. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIDGE NO. 123 & BRIDGE NO. 175

John Ayers referenced bids opened on April 12, 2016 for Bridge No.123, located on CR 400S over an Unnamed Tributary on East Fork Mill Creek, in Section 25 and 36, Township 15N. Range 2W; and replacement of Bridge No. 175, located on CR 400S over East Fork Mill Creek, in Section 30 and 31, Township 15N, Range 1W. Both bridges are in Clay Township. He referenced the bids opened and recommended awarding both bridge projects to Duncan Robertson, as the lowest most responsive and responsible bidder. He explained the low bids on both bridges exceeded our Engineer’s Estimate by a combined 16%, however, the bridge and road construction market right now is very fluid and INDOT has put a lot of bridge projects in this price range on the market, which makes it very competitive. He sated they don’t believe the bids are unreasonable nor do they believe a rebid will

result in any lower bids. Commissioner Gentry moved to award the bid for Bridge No. 123 and Bridge No. 175 to Duncan Robertson, as the lowest most responsive and responsible bidder. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF USE OF COURTHOUSE

Commissioner Gentry acknowledged receipt of two requests to use the Courthouse:

- Pastor David W. Stewart of the Church of the Nazarene requested use of the Courthouse lawn, near the fountain area, at 12:00 noon for a brief prayer service on The National Day of Prayer, Thursday, May 5, 2016. He stated they expect around 25 people to attend this prayer service; and
- The Sheriff’s Department requested use of the Courthouse Rotunda at noon on Thursday, May 13, 2016 for their annual Police Memorial Day Service

Commissioner Palmer moved to approve both requested uses of the Courthouse. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

Kevin Cavanaugh presented a request from Catherine Haines for use of the Courthouse rotunda to host a graduation and swearing in ceremony for new CASA team members on Saturday, May 7, 2016 from 4 – 7 PM. He stated there are no conflicts on this date and he will be able to provide custodial service as needed. Mr. Cavanaugh noted Ms. Haines is making the necessary arrangements for security during the event and stated since this is a function for an internal group, he suggested the Commissioners may want to consider waiving our normal building use fees, other than the security fee from the Sheriff’s Department.

It was the consensus of the Commissioners to approve Catherine Haines request, as presented, for use of the Courthouse rotunda.

IN THE MATTER OF NATIONAL DAY OF PRAYER

Receipt was acknowledged of a request from Pastor David W. Stewart of the Calvary Church of the Nazarene in Danville for a proclamation declaring May 5, 2016 as National Day of Prayer in Hendricks County. Commissioner Palmer stated the Proclamation Declaring May 5, 2016 as National Day of Prayer in Hendricks County was similar to previous proclamations and would leave reading of the following proclamation to the day of the event.

STATE OF INDIANA)
TOWN OF DANVILLE) ss: HENDRICKS COUNTY COMMISSIONER
COUNTY OF HENDRICKS)

***PROCLAMATION DECLARING MAY 5, 2016
NATIONAL DAY OF PRAYER
IN HENDRICKS COUNTY***

- BE IT REMEMBERED THAT:** The Hendricks County Board of Commissioners recognize that government is the servant of the citizens and not the master.
- BE IT FURTHER REMEMBERED THAT:** The Hendricks County Board of Commissioners recognize that our families, schools and religion are the foundations of the freedom we enjoy in America today.
- BE IT ALWAYS REMEMBERED THAT:** The Hendricks County Board of Commissioners recognize, in the influence of good laws under a Free Government, that there can be no rule of law without morality and there can be no morality without religion.
- NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE:** The Hendricks County Board of Commissioners recognize that we must Honor God, as our individual faiths lead us, and declare the 5th day of May, 2016, National Day of Prayer in Hendricks County. We wish all Citizens of Hendricks County Grace, mercy and Godspeed.

(SEAL)

(SIGNED)

Bob Gentry, President
Phyllis A. Palmer, Vice President
Matthew D. Whetstone, Member

IN THE MATTER OF NATIONAL POLICE WEEK
AND POLICE MEMORIAL DAY

Chuck Parsons of the Sheriff’s Department requested the annual proclamation declaring May 8 thru May 14, 2016 as National Police Week and Thursday, May 13, 2016 as Police Memorial Day. He also requested for a Commissioner to read this proclamation during their Police Memorial Day program. Commissioner Palmer stated the Proclamation Declaring May 13, 2016 as National Police Day in Hendricks County was similar to previous proclamations and would leave reading of the following proclamation to the day of the event.

PROCLAMATION DECLARING

***May 8 THRU May 14, 2016 NATIONAL POLICE WEEK
AND
MAY 13, 2016 POLICE MEMORIAL DAY***

WHEREAS, the Congress of the United States of America has designated the week of May 8, 2016 to be dedicated as “National Police Week” and May 13, 2016, to be designated “Police Memorial Day”, and

WHEREAS, the law enforcement officers are our guardian of life and property, defenders of individual rights, warriors in the war against crime and dedicated to the preservation of life, liberty and the pursuit of happiness, and

WHEREAS, the County of Hendricks desires to honor the valor service and dedication of its own police officers, and

WHEREAS, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries, 117 deaths in 2014 and 156 deaths in 2013 in the performance of their duties, our community joins with other cities and towns and counties to honor all peace officers everywhere, and

WHEREAS, May 13, 2015 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

THEREFORE, The Hendricks County Board of Commissioners proclaim the week of May 8 to May 13, 2016 to be Police Week and call upon all our citizens in this community to especially honor and show our sincere appreciation for the police officers of this county who serve and protect our loved ones, property and government against all who would violate the law.

Signed this 26th day of April, 2016, at the County of Hendricks, State of Indiana in the witness thereof the seal of Hendricks County and the signatures of the county are affixed.

(SEAL)

(SIGNED)

Bob Gentry, President
Phyllis A. Palmer, Vice President
Matthew D. Whetstone, Member

IN THE MATTER OF SYCAMORE SERVICES

Pat Cockrum, Executive Director Sycamore Services, presented a Notification from the Indiana Department of Transportation of Deobligation of Transit Grant Funds in the amount of \$141,583 of Federal Transit Administration Funds from project number 18033430. He noted these funds represent the unexpended balance of transit funds provided through the aforementioned grant project and credited a large percentage of these saving to the LINK Hendricks County program being more efficient. He stated they are planning on extending the LINK hours for transporting individuals that may require again filing for INDOT funds. Commissioner Whetstone

moved to sign the Notification of Deobligation of Transit Grant Funds for LINK in the amount of \$141,483, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Pat Cockrum presented the annual report for 2015 Sycamore Services and LINK Hendricks County.

IN THE MATTER OF ORDINANCE NO. 2016-09
ZA-438/16: JOSHUA AND KRISTLE BEX

Don Reitz presented ZA-438/16: Joshua and Kristle Bex, a zoning amendment change from AGR/Agriculture Residential District to AGBA /Agriculture Business District, for 3.78 acre in Brown Township, located on the east side of CR 850 East and north of the intersection of CR 725 North and CR 850 East. He explained the petitioner was requesting this change to operate a landscaping business from this property. Mr. Reitz reported the Plan Commission held a public hearing on April 12, 2016 and sends this zoning request with a Favorable 6-0-0 recommendation. He noted a neighbor at the hearing had requested re-routing the trucks and they worked out a traffic pattern for the trucks to be out of the residential area. Commissioner Palmer moved to approve ZA-438/16, as recommended by the Plan Commission, as Ordinance No. 2016-09. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF NATIONAL TRANSPORTATION CENTER

Cinda Kelley introduced Preston Harrison, developer, to give an update on the proposed plans for the National Transportation Center to be located on the west side of SR 39, just south of Belleville and across from the Deer Creek Golf Course. He explained this will be a veterans training program through Ivy Tech with living facilities on site for the veterans and their families. Phase I will be on 69 acres with the complete campus to be located on 400 acres and stated he will be looking for a TIF and a Tax Abatement for this property. Ms. Kelly stated Mr. Harrison would like to use some TIF revenue to help pay for some infrastructure improvements and noted the first step in this process would be establishing an Economic Development area. There was discussion of establishing an EDA and if this complied with the Corridor Study for SR 39 and I-70. Mr. Harrison introduced John Hall, current owner of the property he plans to purchase for this training center. It was the consensus of the Commissioners to have the County Financial Advisor, Greg Guerrettaz, look at this proposed project and bring back a recommendation.

IN THE MATTER OF BRIDGE NO. 79, NO. 40 and NO. 20

John Ayers presented for execution the following Notices to Bidders for three bridges:

Replacement of Culvert WA-056, located on CR 151 North with Bridge No. 79;

Reconstruction of Bridge No. 20, located on CR 500 East, south of I-74; and

Deck rehabilitation of Bridge No. 40, located on Raceway Road.

Commissioner Whetstone moved to approve and sign the Notices to Bidders for Bridge No. 79, Bridge No. 40 and Bridge No. 20, as requested by the County Engineer. Commissioner Gentry seconded the motion. John Ayers requested the bid opening for all three of these bridges be set for 9 AM on Tuesday, May 24, 2016. The motion was approved unanimously 3-0-0.

County Engineer John Ayers stated Clark Deitz has done construction inspection work on Bridge No. 272, located on CR 550 West, and recommended that Clark Deitz be contracted to do all three of these bridges. He

requested to obtain a contract for inspections of Bridge No. 79, No. 40 and No. 20. It was the consensus of the Commissioners for the County Engineer to proceed to obtain a contract with Clark Deitz for the construction inspections, as requested.

IN THE MATTER OF B&O TRAIL

John Ayers announced the groundbreaking for Phase 3a, 3b and 4 of the B&O Trail Association was held Monday, April 25, 2016. He referenced an email regarding payment for design. Greg Steuerwald clarified the requirements and procedures for funding this project. There was discussion of funding. No action was taken.

IN THE MATTER OF ROAD INVENTORY

John Ayers reported the Highway Department has completed their road inventory and condition ratings. Highway Superintendent Curt Higginbotham is working on a paving list for this year, which he will bring to the Commissioners. Mr. Ayers stated they would like to use at least some of the LOIT funds we're getting back for resurfacing, and some to use as matching money for the Grant Funding provided for by HB 1001, also for resurfacing.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers presented the RFQ (Request for Qualifications) schedule for the Ronald Reagan Parkway extension as follows:

- a. Send out RFQ – April 29, 2016
- b. Written Statements of Qualifications due – May 13, 2016
- c. Shortlist Determined Notices Sent - May 20, 2016
- d. Shortlist Presentations followed by meeting to discuss - June 6, 2016
- e. Hendricks County Commissioners Formal Award – June 14, 2016
- f. Contract Executed – June 28, 2016

It was the consensus of the Commissioners to accept and sign the Request for Qualifications (RFQ) for the Ronald Reagan Parkway extension, as presented.

John Ayers presented the Interlocal Agreement entered into by Boone County, Indiana and Hendricks County, Indiana for the extension of the Ronald Reagan Parkway into Boone County. Commissioner Whetstone moved to execute the Interlocal Agreement with Boone County for the Ronald Reagan Parkway extension, as County Contract #0028-16. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RACEWAY ROAD

John Ayes gave an update on the Raceway Road curve and stated they are working with the City of Indianapolis on the right-of-way for this project.

IN THE MATTER OF CR 550 EAST

Commissioner Whetstone inquired about the status of the guardrail on Culvert BN-047, located on CR 550 East. John Ayers responded this is not yet completed, however, they are working on this area.

IN THE MATTER OF MEETING ROOM EXPANSION

Kevin Cavanaugh reported he is soliciting input from other potential contractors for the meeting room expansion and are scheduling an interview with contractor #3.

IN THE MATTER OF SOLID WASTE BUILDING

Kevin Cavanagh explained he and Lenn Detwiler, Hendricks County Solid Waste Executive Director, had their

initial meeting with Sanjay Patel and Roger Stephens from RQAW for Friday, April 22, 2016 to discuss the proposed solid waste building. He noted they are working on scope and cost for their full consulting proposal. Mr. Cavanaugh advised they are working to develop an aggressive schedule for plans and bidding. They are targeting July for general contractor bids to be due and starting construction in August or September. He stated to help accelerate the schedule, he may ask for permission to approve an early contract for site survey work. Mr. Cavanaugh stated funds are available for the survey. There was discussion of the survey. It was the consensus of the Commissioners to ask the County Surveyor to do this survey work.

IN THE MATTER OF ENERGY EFFICIENCY / MAINTENANCE UPGRADES

Kevin Cavanaugh gave an update; on the Energy Efficiency / Maintenance Upgrades and advised an additional appropriation was approved by the Council on Thursday, April 14, 2016 and the Council is aware that they will have a similar funding request to the regular 2017 budget. He stated Ameresco is working on the engineering and contract details for the Courthouse, Work Release and Government Center and clarified they will focus on the Courthouse first.

IN THE MATTER OF AED'S FOR COUNTY FACILITIES

Kevin Cavanaugh reported he is researching information to make recommendations for which buildings should receive AED units, specific placement, etc. He stated he has received vendor information from the Danville Fire Department for recommendations and pricing and will bring more information later.

IN THE MATTER OF COURTHOUSE AND MARION STREET PROBATION ACCESS CONTROL

Kevin Cavanaugh explained installation has started on the Courthouse access control. Work will then move to the access control of the Probation office after the Courthouse is complete. He stated he anticipates four weeks for completion of this project.

IN THE MATTER OF TIME AND ATTENDANCE

Mike Graham announced Right Stuff has agreed to reduce their set-up cost by \$4,000 for the Time and Attendance program. This will make their set-up cost \$36,000. He stated he had tried for more savings, but did not succeed. Mr. Graham requested authorization to ask Right Stuff to provide a contract. It was the consensus of the Commissioners to proceed to obtain a contract from Right Stuff for the Time and Attendance.

IN THE MATTER OF WI-FI CONNECTION CHARGE

Mike Graham referenced the Commissioners request of Systems Administrator Doug Morris to put together a proposal to have a subscription fee for non-employees to access the Court House Wi-Fi when it is available and advised that Mr. Morris will be prepared to give a recommendation at their next meeting on May 10, 2016.

IN THE MATTER OF ANIMAL CONTROL

Mike Graham reported on occasion our Animal Control Officers will need to forcibly enter a property not knowing what is on the other side of the door. In most of these occasions the Animal Control Officers are entering the property with the assistance of the Sheriff's Department. Also, on occasion the Animal Control Officers have been threatened. He questioned if the Commissioners should give consideration to allowing an Animal Control Officer to carry a weapon. Mr. Graham clarified if the Commissioners want to consider this policy change we need to research what other animal control authorities allow their officers to have weapons, what training and

certification should be required and what if any are the insurance concerns. It was the consensus of the Commissioners for Animal Control Officers to take a Sheriff's Deputy with them when needed as the Animal Control staff directly reports to the County Commissioners. Also, they directed staff to evaluate the pros and cons of Animal Control Officers being issued a weapon.

IN THE MATTER COUNTY RETIREES INSURANCE

Mike Graham stated the last several years the County has hired Nyhart to monitor the Medicare Part D services provided to County retirees. The service costs are \$5,950. As a result of this program \$22,729.85 was reimbursed by County retirees for 2013/2014. He requested approval of the contract for 2016. Commissioner Gentry moved to approve the Nyhart contract for 2016, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXECUTIVE SESSION

Mike Graham advised we have a policy disagreement in the administration of our FMLA policies and recommended the Commissioners hold an executive session on Tuesday, May 10, 2016 to discuss this matter. It was the consensus of the Commissioners to hold an Executive Session at 11:30 AM on Tuesday, May 10, 2016, if we are unable to resolve the issue between now and May 10.

IN THE MATTER OF SHERIFF'S DEPARTMENT

Sheriff Clark invited the Commissioners to tour the Jail. There was discussion of the Commissioners touring the Jail. It was consensus of the Commissioners to visit the Jail today immediately following this meeting.

IN THE MATTER OF TIF DISTRICT

Commissioner Whetstone inquired the status of the requested TIF District of the Scannell property north of County Line Road on SR 39 for INDOT improvements. There was discussion of this area.

IN THE MATTER OF SR 39 STOP LIGHTS

Eric Wathen inquired the time table for completion of the installation of the stop lights on SR 39, north of Danville. John Ayers responded he will check on this matter.

IN THE MATTER OF EARLY VOTING

Commissioner Palmer commented on the response to the early voting in the Government Center and advised that last week they averaged 100 voters each day and they expect for the volume to increase as we get closer to election day.

IN THE MATTER OF WHITE LICK CREEK

Eric Wathen, Banning Engineering, explained the plans to reduce the log jams on White Lick Creek and recommended that the Commissioners consider adding a line in their budget for funding the removal of log jams as another county does. There was discussion of this consideration.

IN THE MATTER OF PYLE TORT CLAIM

Receipt was acknowledged of a denial letter from Joni Smith of One Beacon to Attorney Robert Montgomery for tort claim of Francis Pyle relative to injuries sustained while a patient in the Hendricks County Hospital d/b/a Golden Living Center – Valparaiso.

IN THE MATTER OF CORRESPONDENCE

Commissioner Gentry acknowledged receipt of the following:

Correspondence:

- 1. IDEM Notice of Decision: Approval, advising that on behalf of the Commissioner of the Department of Environmental Management has issued a decision regarding the matter of Twin Bridges Recycling & Disposal Facility, located at 124 East Twin Bridge Road, Danville, IN, for Permit Number 063-37066-00029 for changes that are administrative in nature.
- 2. Notice of Public Comment of April 20, 2016, which was placed in the Legal Advertising section of the local newspaper. The application and supporting documentation for this proposed permit for Electronic Recyclers International, Inc. have been placed at the Plainfield-Guilford Twp. Public Library, 1120 Stafford Road, Plainfield, IN.
- 3. Board of Directors Meeting Announcement from Cummins Behavioral Health Systems, Inc., for their Thursday, April 28, 2016 meeting beginning with 5:30 PM dinner followed by 6 – 8 PM Board Meeting along with minutes of their March 24, 2016 meeting.

Action needed/taken on the following:

- 1. Checks received and signed to the county: \$ 300.00 Rokita Rent
- 2. Commissioner Gentry\ signed vehicle titles for the following: None
- 3. Documents needing action: None

IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for March 5 to April 8, 2016 and April 9 to April 22, 2016 from James McBryant, Cypress Manor Director.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for April 11 to April 22, 2016 from Erin McIntyre, Human Resources Administrator.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway reports for April 11 to April 15, 2016 and April 18 to April 22, 2016 from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the March 15 to April 15, 2016 Weights and Measures Monthly Report from Joie Davis, Weights & Measures Inspector.

Commissioner Whetstone moved to adjourn the Commissioners’ meeting at 10:55 AM. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Bob Gentry, President

Phyllis A. Palmer

Matthew D. Whetstone, Member

ATTEST: _____
Judith Wyeth, Deputy Auditor

