

July 12, 2016

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, July 12, 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
Cinda Kattau		Hendricks County Auditor
Brett Clark		Hendricks County Sheriff
John Ayers		Hendricks County Engineer
R. Todd McCormack		Hendricks County Executive Director
James McBryant		Hendricks County Director Cypress Manor
Douglas Morris		Hendricks County Systems Manager
Tammy Brinkman		Hendricks County Director of Nursing
Julie Haan		Hendricks County Director of Environmental Health
Kevin Cavanaugh		Hendricks County Facilities Manager
Jim Mardis		Hendricks County Clean Water Director
Erin McIntyre		Hendricks County Human Resources Administrator
LaDonna Hughes		Hendricks County Director Animal Control/Shelter
Catherine Haines		Hendricks County Court Administrator
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 Palmer moved to approve the minutes of the June, 28, 2016 meeting, as corrected.

Commissioner Gentry seconded the motion and the motion was approved 2-0-1 with Commissioners Gentry and Palmer voting aye and Commissioner Whetstone abstaining as he did not attend the June 28, 2016 meeting.

IN THE MATTER OF CLAIMS

Commissioner Whetstone moved to approve Claims #109427 thru 109494, Direct Deposit #141591 thru 142088 and all claims presented thru July 13, 2016. There was discussion of several claims. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ORDINANCE NO. 2016-21  
SPEED LIMIT ON CR 550 NORTH

Commissioner Gentry announced a Public Hearing has been duly advertised for 9 00 AM, for a Speed Limit Ordinance to establish a 40 mph speed limit on CR 550 North between CR 400 East and CR 500 East. He stated it was now 9:10 AM and opened the Public Hearing. There was no public input. Commissioner Gentry closed the public hearing. John Ayers advised a citizen in the area had requested a speed limit on this road and after reviewing the speed study his staff recommended a 40 mph speed limit be established. Commissioner Gentry moved to approve the 40 mph speed limit on CR 550 North between CR 400 East and CR 500 East, as recommended by the County Engineer, as Ordinance No. 2016-21. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF 2017 BUDGETS

Auditor Cinda Kattau reported she has requested all elected officials and department heads to submit their requests for additional employees or if they wish for a part-time employee to move to a full-time employee, along with documentation or letter with an explanation of their request for the 2017 budget. She presented the following requests she has received for 13 additional employees:

Ms. Kattau noted a letter had not been received from Parks for an additional employee.

Auditor Cinda Kattau advised she has also requested elected officials and department heads requesting additional vehicles to send a letter of explanation for the vehicle for the 2017 budget. She acknowledged 16 vehicle requests, however, explanation letters for 13 vehicles were received from:

Prosecutor – 1                      Animal Control – 1 van  
Sheriff – 9 Dodge Charger patrol vehicles and 2 Dodge Ram trucks

Ms. Kattau noted the Surveyor, Probation, Parks and Drug Task Force initially requested vehicles, but she had not received their explanation letter, at this time. Prosecutor Pat Baldwin came forward to clarify her vehicle request advising it is a replacement vehicle used by the prior investigator who lived out of the County, as this investigator is on call 24/7.

Ms. Kattau acknowledged the Department of Corrections has awarded Work Release two officers and \$50,000 for vehicles. Probation was also awarded an Assistant Director, an officer and \$25,000 for vehicles. These grants don't go through the normal budget process and explained they do all non-calendar year grants as additional appropriations after they are awarded.

It was the consensus of the Commissioners to discuss requests for additional vehicles and for additional employees with the Council during budget hearings.

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#### IN THE MATTER OF SHERIFF'S DEPARTMENT

Sheriff Brett Clark presented a contract for the Jail medical provider, Advanced Correctional Healthcare, and stated he had emailed this contract to the Commissioners and to Greg Steuerwald for review. He provided a cover sheet noting they have had this medical provider since 2004, explained some changes in the contract including a 3% increase in cost and an increase in hours. Sheriff Clark gave a brief summary of their experience with this provider. Commissioner Palmer moved to approve the contract for Jail medical provider with Advanced Correctional Healthcare, as requested by the Sheriff. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

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#### IN THE MATTER OF ASSESSOR'S OFFICE

Assessor Larry Scott presented a proposal from Assessment Advisors for Income Works Sole Source / Single Source Statement in the amount of \$32,000. He stated this is an income based local market specific commercial real estate evaluation model designed specifically to bring consistency and equity to the assessment of commercial, industrial, lodging, multifamily, office, and retail properties. It is a product and a process that collects and analyzes local lease practices data where an assessor can input readily available information pertaining to a property and Income/Works will return an instant, income approach evaluation estimate based on local market data. He explained how this service would benefit his office and be more efficient for his staff to handle the almost 70,000 parcels. Mr. Scott requested the Commissioners approval to go to Council for additional funding to pursue this agreement. It was the consensus of the Commissioners for the Assessor to go to Council for funding for this Assessment Advisors Income Works.

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Attorney Greg Steuerwald explained this business personal property ruling concerning penalties.

Larry Scott referenced the Meijer Stores vs Hendricks County Assessor, appeals from 2006 to 2010, for two stores in Hendricks County. Attorney Greg Steuerwald and Assessor Larry Scott plan to attend a case management conference next week in Indianapolis.

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IN THE MATTER OF CYPRESS MANOR

James McBryant presented an application for admission as a permanent resident in Cypress Manor for David Lee Gullion and stated he had emailed this request to the Commissioners earlier. He explained this application had been sent with a recommendation to approve electronically and this was to ratify that earlier approval. Commissioner Palmer moved to approve the application for residency presented, as recommended by the Cypress Manor Director. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Todd McCormack reported the agreement between the County and HRH (Hendricks Regional Health) is moving forward and hopefully will be reached in the near future. The County has been taking necessary steps to insure if such a transition takes place, the transition will be in both the best interests of the County and HRH.

Receipt was acknowledged of the Cypress Manor report for June 19 thru July 22, 2016 from James McBryant, Cypress Manor Director.

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IN THE MATTER OF BRIDGE NO. 106

John Ayers referenced a couple of meetings ago a contract approved with Ron Dixon for mitigation design required for Bridge No. 106, located on CR 550 North. Today he was presenting the Floodway Mitigation Agreement in the amount of \$47,500 with Ronald S. Taylor, Orchard Development Corporation, for the construction. Commissioner Gentry moved to approve and sign the Floodway Mitigation Agreement for Bridge No. 106 with Ron Taylor in the amount of \$47,500, as recommended by the County Engineer. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF LAKE FOREST DAM - PAUL WALTHERS

John Ayers reported Senator Pete Miller has contacted him about Lake Forest Dam and Paul Walthers dealings with DNR. He reported he has given Senator Miller a brief history of this matter and explained that the Commissioners have not gotten involved in this matter because their only interest is protecting the County roads downstream from the dam and advised that the County has not offered to fund any repairs, in large part because it sets a precedent for the other privately owned dams in the County. Senator Miller is concerned about the other homeowners around the lake and what happens to property values if the dam does end up being removed and the lake ceases to exist. Senator Miller inquired about available grants or other funding sources to help Mr. Walthers. Mr. Ayers stated he is again bringing this to the Commissioners for their input. He further advised that the DNR Administrative Law Judge issued a final ruling against Mr. Walthers, but he is appealing the judgment in Marion Superior Court. There was discussion of this matter. No action was taken.

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IN THE MATTER OF HIGHWAY

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John Ayers reported the Highway Department and Milestone will begin not mix paving this week.

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IN THE MATTER OF BRIDGES NO. 123 AND NO.. 175

John Ayers advised the utility relocation is complete for Bridge No. 123 and Bridge No. 175, both located on CR 400 South, and that the road will be closed beginning on August 1, 2016 to start demolition.

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IN THE MATTER OF BRIDGE NO. 49

John Ayers announced HIS Construction intends to close Raceway Road, north of I-74, starting July 25, 2016 to start the deck overlay on Bridge No. 40.

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IN THE MATTER OF BRIDGE NO. 20

John Ayers stated they will be having a preconstruction conference with Superior Construction on July 18, 2016 for Bridge No. 20, located on CR 500 East.

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IN THE MATTER OF BRIDGE NO. 106

John Ayers announced the Public Hearing for Bridge No. 106, as required by INDOT and FHWA, will be held on July 26, 2016 at 5:30 PM in Meeting Room #3 of the Hendricks County Government Center.

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IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers noted they have received the preliminary scope for the Ronald Reagan Parkway extension and expect a preliminary fee proposal this week. He and Boone County representatives met with Appian last week to discuss funding strategy for this extension.

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IN THE MATTER OF B&O TRAIL

John Ayers reported the box culvert on the B&O Trail has been set and the wing-walls should be in place by today. Once it is backfilled they will start mobilizing for the new bridge over White Lick Creek.

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IN THE MATTER OF FUEL PUMPS

John Ayers announced they will be changing the fuel pumps, replacing the old fuel pumps with the new fuel pumps, on July 26 and 27, 2016 and during this change there will be no fuel available for employees using County vehicles. He will send out an email advising all employees of this down time for the fuel pumps.

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IN THE MATTER OF 4-H FAIRGROUNDS

John Ayers relayed a concern from a former commissioner relative to the large dedication plaque inside the 4-H Community Building at the Hendricks County 4-H Fairgrounds and Conference Complex. He referenced the approval of this plaque by the Commissioners in the June 13, 2006 Commissioners' minutes. There was discussion of this concern. No action was taken.

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IN THE MATTER OF BRIDGE NO 267

John Ayers gave an update on Bridge No. 267 located on Avon Avenue over the CSX tracks.

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IN THE MATTER OF GOVERNMENT CENTER ROOM EXPANSION

Kevin Cavanaugh reported the proposal from Guy Company Homes is approximately \$15,000 for the Commissioner's meeting room expansion. They are making adjustments to the contract and he will present the contract for approval at the July 26, 2016 meeting. He will also have further options for seating and carpeting available at that time.

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IN THE MATTER OF SOLID WASTE BUILDING

Kevin Cavanaugh stated the Hendricks County Solid Waste Management District Building Committee met on July 7, 2016. They discussed possible build/lease finance options, made some reductions in overall area and will change building materials to a hybrid of masonry/ steel and traditional framing. They will present financing

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scenarios and adjusted cost details at the next Solid Waste Board Meeting on July 26, 2016.

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IN THE MATTER OF ENERGY EFFICIENCY / MAINTENANCE UPGRADES

Kevin Cavanaugh advised Ameresco has been released to proceed on the energy efficiency and maintenance upgrades at County buildings. He noted they are just waiting to receive the County’s copy of the fully executed contract document.

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IN THE MATTER OF AED’S

Kevin Cavanaugh gave an update on the AED’s stating the AED cabinets have been received for all County facilities. The cabinet installations will start the week of July 18, 2016. Distribution of the AED units and training schedules will follow.

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IN THE MATTER OF ACCESS CONTROL

Kevin Cavanaugh gave an update on the access control at the Courthouse and Marion Street Probation stating it is 99% complete and they are only waiting on hardware for one door at the Courthouse and the connection with the alarm controls.

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ON THE MATTER OF PROBATION - PROSECUTOR

Kevin Cavanaugh advised the materials are on order for the Probation – Prosecutor space changes at the Annex.

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IN THE MATTER OF GOVERNMENT CENTER PHONES

Kevin Cavanaugh reported the materials are on order for the Government Center VoIP Phone Upgrade. He anticipates the switch over date will be August 19, 2016.

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IN THE MATTER OF COUNTY LOGO

Kevin Cavanaugh referenced a request from Andy Hine with arcDesign for permission to use the County logo for updated project information on their web site. There was discussion of this request. It was the consensus of the Commissioners to approve arcDesign using the Hendricks County logo for project information on their web site.

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IN THE MATTER OF DAR COURTHOUSE REQUEST

Kevin Cavanaugh announced he met with Brenda Hunt and Rhonda Beck of the Wa-Pe-Ke-Way Chapter of the DAR on July 8, 2016 to discuss application for the DAR’s Historic Preservation Award. This does not commit the County to any limitations regarding future work at the building. He will continue to work with them on the application, which will include a letter of recommendation from the County. He stated he feels it would be best for this letter to be under the Commissioners signatures, so he will prepare the document for the Commissioners’ review at their next meeting on July 26, 2016.

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IN THE MATTER OF BUILDING FACILITIES CORPORATION

Todd McCormack reported there have been some issues in reinstating the Hendricks County Building Facilities Corporation. County Attorney Greg Steuerwald and Attorney Bruce Donaldson, Barnes & Thornburg, are both working on a resolution, however, it is possible it may be easier to establish a new corporation rather than have the former reinstated. There was discussion of this board. Commissioner Whetstone moved to establish a new Building Facilities Corporation. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF TITLE VI

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Todd McCormack recommended the County webpage be altered to include a statement stipulating the County is in compliance with Title VI requirements. He explained this is a requirement for any County office or department that receives federal monies from grants or other sources. Human Resources Director, Erin McIntyre, further explained these requirements. The Commissioners requested for Mr. McCormack to check on previous County action on Title VI.

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IN THE MATTER OF EMPLOYEE MANUAL

Todd McCormack announced hopefully the last revisions/corrections are in place and the employee manual is ready to be distributed to the Commissioners, Council, and Committee Members for review. Proposed adoption would be at the next Commissioner’s meeting pending any technical, rather than substantive changes, as now proposed. A lot of hard work and attention to detail has gone into the manual, and while likely not perfect it represents the best mix of policy and protections for both the County and the employees of the County and complimented everyone on their efforts in creating the manual. He stated once adopted, a recommendation is being made to distribute the manual to Elected Officials and Department heads for informational purposes. The distribution is for review and to provide them the courtesy and opportunity of being able to review the manual prior to distribution to employees. This would allow them time to prepare for questions and be able to give an informed response.

Mr. McCormack suggested that prior to distribution to the employees, a training/questions/answers schedule be established for Elected Officials and Department Heads with Attorney Jon Mayes, Erin McIntyre, and himself. This could help in answering questions that arise from the manual and help prepare the Elected Officials and Department Heads to field questions from the employees they supervise.

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IN THE MATTER OF PICTOMETRY

Todd McCormack reported there will need to be a transfer from the equipment line of the Commissioners’ budget to the special contracts line to cover costs for the Pictometry contract and recommended that all future costs for Pictometry be included in the Assessor’s budget rather than as is currently split between the Assessor’s budget and the Commissioners’ budget.

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IN THE MATTER OF SHERIFF’S SALE

Todd McCormack advised he met with representative of the Freije and Freije Auction House and they provided a proposal to change the manner in which the Sheriff’s sales take place. He noted the proposal is quite interesting and intriguing and they have some impressive results from other jurisdictions. Mr. McCormack stated they would now like to make a proposal to the Commissioners regarding what they believe their company has to offer to Hendricks County. Sheriff Brett Clark clarified the Sheriff is in charge of the Sheriff’s sales and not the Commissioners and while he is willing to meet with this vendor the ultimate decision is his.

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IN THE MATTER OF DUKE ENERGY SUBSTATION

Todd McCormack gave an update on the Duke Energy the possible purchase of County land at East Campus for a substation. He stated after the last meeting with representatives from Duke on this issue, they reviewed our recommendations and are in the process or redesigning the substation to fit into the parameters of the northeast

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section of East Campus. This location is the most favorable to the County when reviewing the possible long range plans for the property. Duke will be submitting a proposal after redesign for possible acquisition of land for their substation.

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IN THE MATTER OF WISHES TO BE HEARD - GIS

Jim Mardis informed the Commissioners that Lidar contour mapping will be available through the State of Indiana. He sated the estimated fee will be \$37,000. He noted this is a needed update for the contours on our GIS mapping and would be much less than if the County had to pay it alone. Mr. Mardis has discussed this with other departments regarding how to fund. The Commissioners stated they would be willing to pay for it out of their funds and requested a contract when the fee is known.

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IN THE MATTER OF BIG BROTHERS AND BIG SISTERS

Commissioner Gentry reported he had been approached for financial assistance for the Big Brother and Big Sister program and he had explained to them the County is in the process of reducing financial assistance to County related programs and have been reducing them 10% annually for the past few years.

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IN THE MATTER OF FENTON CEMETERY

Commissioner Gentry advised he had received a phone call from a relative of a person buried in Hendricks County in the Fenton Cemetery and inquired the location of this cemetery. He will forward the contact information to staff for further checking and to respond to this inquiry.

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IN THE MATTER OF PUBLIC DEFENDERS

Commissioner Whetstone acknowledged the joint workshop scheduled at 4 PM on Tuesday, June 28, 2016 with the Commissioners, Council and Judges to discuss Public Defenders had been cancelled and requested that a new date and time be scheduled for this workshop. Todd McCormack will work on this rescheduling.

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SURVEYORS OFFICE

County Surveyor David Gaston introduced Cory Gehring as his new Chief Deputy in the Surveyor's Office.

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IN THE MATTER OF JAIL WORKSHOP

Commissioner Gentry announced a Workshop for discussion of the jail has been duly posted and advertised for today at 1:00 PM in Room #2.

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IN THE MATTER OF CORRESPONDENCE

Commissioner Gentry acknowledged receipt of the following:

Correspondence:

1. IDEM letter of June 28, 2016 serving as notice that the Indiana Department of Environmental Management (IDEM) Office of Water Quality, Facility Construction and Engineering Support Section received a sanitary sewer permit application on June 27, 2016 from Mr. Ron Goff, District Manager, West Central Conservancy District, as required by IC 13-1-3-1. If approved by IDEM, the permit would allow the applicant to construct a sanitary sewer for South Abner Basin Force Main and Interceptor, Revision in Avon, Indiana.
2. Information letter of July 1, 2016 stating the Indiana Department of Environmental Management (IDEM) Office of Air Quality, Permits Branch, has received an application from the Milestone Contractors LP, NE Corner of CR 800 and CR 225E, Plainfield, IN. Noting the applicant is required to place certain types of applications at the local library.
3. IDEM letter of July 1, 2016 advising application, plans and specification, and supporting documents for Newbury at West Wynne Farms, Section 2, have been reviewed and processed in accordance with rules adopted under 327 IAC 3. They enclosed the Construction Permit (Approval No. 21919), which

applies to the construction of the proposed sanitary sewer system to be located along the north side of Northfield Drive approximately 1,860 feet east of the intersection with SR 267 near the Town of Brownsburg.

- 4. IDEM Notice of Public Comment advising the Indiana Department of Environmental Management in their ongoing efforts to better communicate with concerned citizens, invite comment on the draft permit. They enclosed a Notice of Public Comment, which has been placed in the Legal Advertising section of the local newspaper, relative to Buckeye Terminals, LLC Raceway Terminal. The application and supporting documentation for this proposed air permit have been placed at the library indicated in the Notice. These documents more fully describe the project, the applicable air pollution control requirements and how the applicant will comply with these requirements.
- 5. Letter from Milestone Contractors advising that Berns Construction ,LLL, (Berns) has submitted a request to the Indiana Department of Environmental Management (IDEM) Office of Air Quality to relocate one of their portable concrete plants to the northeast corner of the intersection of CR 800 South and CR 725 East, Plainfield, Indiana. Berns submitted this request to IDEM on June 27, 2016.

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

- 1. Checks received and signed to the county: \$ 720.00 Health Dept. 4 MiFi cards
- 2. Commissioner Gentry\ signed vehicle titles for the following: 2009 Dodge Charger – Trade-in  
2009 Dodge Charger – Trade in  
2010 Dodge Charger – Trade in  
2010 Dodge Charger – Trade in  
2010 Dodge Charger – Trade in  
2011 Dodge Charger – Totaled  
2012 Dodge Charger – Trade in  
2012 Chevrolet Van – Totaled
- 3. Documents needing action: None

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for June 17 thru July 8. 2016 from Erin McIntyre, Human Resources Administrator.

IN THE MATTER OF PLANNING

Receipt was acknowledged of the monthly Planning and Building Report of Collections for June 2016 from Don Reitz, Planning Director.

Commissioner Whetstone moved to adjourn the Commissioners’ meeting at 10:45 AM. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Bob Gentry, President

Phyllis A. Palmer, Vice President

Matthew D. Whetstone, Member

ATTEST: \_\_\_\_\_  
Judith Wyeth, Deputy Auditor

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