

June 23, 2009

The Hendricks County Board of Commissioners met in regular session at 9:40 AM on Tuesday, June 23, 2009, 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
David Gaston		Hendricks County Surveyor
Michael E. Graham		Administrator to Commissioners
Don Reitz		Hendricks County Planning Director
James McBryant		Cypress Manor Administrator
John Parsons		Hendricks County Systems Administrator
Doug Morris		Hendricks County Network 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 June 16, 2009 as corrected. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve Claims #195730 thru 195733, #195749 thru 195759, #093458 thru 093596 and direct deposit #049786 thru 050191, as advertised. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Commissioner Wathen stated the discussion was ongoing with the prospective developer at Exit 59 and INDOT has awarded the SR 39 project to Milestone. Commissioner Wathen thanked the Planning staff for working on the project at Exit 59 and for their continued patience.

Mike Graham advised he had received no response to the Memorandum of Understanding (MOU) from Kite Developers for Exit 59.

Don Reitz stated the development plans for the road in the Kite project will be heard at the July 14, 2009 Plan Commission meeting.

It was noted that Kite and Clayco have been submitting plans for review to the Planning staff and Surveyor's staff for their proposed Project Centerline at Exit 59. The Commissioners gave thanks to the staff for all they have done to help support this project

IN THE MATTER OF RONALD REAGAN PARKWAY

Commissioner Wathen announced the Indianapolis Metropolitan Planning Organization (MPO) approved the \$13,000,000 for the Ronald Reagan Parkway over the CSX tracks last week and announced the bid letting will be in September 2009.

John Ayers advised he will meet with representatives from INDOT to justify the estimate for concrete pavement vs asphalt pavement on the Ronald Reagan Parkway north of CR 300N.

John Ayers presented the Inspection Fee Justification Man-hours by Classification from American Structurepoint, Inc. (ASI) for the Ronald Reagan Parkway from CR 100S to US 36 in the amount of \$1,168,385.53 and requested to submit this inspection fee to INDOT. Mr. Ayers explained the inspectors that would be on site. Commissioner Wathen moved to approve the request to submit the inspection fee proposal for the Ronald Reagan Parkway from CR 100S to US 36 from ASI to INDOT. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Receipt was acknowledged of the June 15, 2009 Appian Activity Report from Dennis Faulkenberg for the Ronald Reagan Parkway

IN THE MATTER OF JUDICIAL CENTER

John Ayers stated there was nothing new to report on the judicial study.

Steve Craney, Banning Engineering, announced the next meeting of the Advisory Committee for the judicial center will be Thursday, August 13, 2009 at 7:00 PM in the Government Center.

IN THE MATTER OF RAILS TO TRAILS

Diana Virgil, President B&O Rails to Trails, introduced Deven Lindenberg, Graduate Landscape Architect with Storrow Kinsella Associates, consulting agency for the B&O Trail, and presented the LPA-Consulting Contract to utilize federal monies with the Indiana Department of Transportation for transportation for design of a segment of the B&O Trail through Hendricks County in the amount of \$432,700. Ms. Virgil stressed the plans must be turned in for state approval in September 2009. She gave a brief history of the Rails to Trails paying fees with monies that are at no cost to the County. Commissioner Wathen moved to approve the contract with Storrow Kinsella Associates for the B&O Trail design, pending State approval, and authorize the County Engineer to proceed with Notice to Proceed, upon approval from the State. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Diana Virgil distributed brochures for the first B&O run/walk scheduled for September 12, 2009.

IN THE MATTER OF U.S. CENSUS - 2010

Dallas D. Wilson, Partnership Specialist Chicago Regional Census Center, presented 2010 Census packets and requested Hendricks County to partner with the Census Bureau to encourage everyone to complete the census information and return. He stated Hendricks County had a 66% return in the 2000 census compared to the State average of 69%. Mr. Wilson explained the process, gave due dates, recommended the Commissioners appoint a committee to oversee the promotion of the census and adopt a proclamation of support. It was the consensus of the Commissioners to add the census proclamation on the July 7, 2009 agenda for further consideration.

IN THE MATTER OF CYPRESS MANOR

James McBryant presented the application of Lawrence Callis for permanent residency in Cypress Manor and stated this applicant is currently residing in the Putnam County Home that will be closing soon and would like to be transferred to Hendricks County. He further advised this applicant is currently on the Arch program. Commissioner Palmer moved to accept this applicant as a resident of Cypress Manor, as recommended by Mr. McBryant. 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 ORDINANCE NO. 2009-17
TZA SIGN STANDARDS, DEFINITIONS AND PERMITTED

Don Reitz presented TZA 01-09: an amendment to the Zoning Ordinance by amending Chapter 9 Sign Standards, Chapter 15 Definitions and Table 9.1 Permitted Signs and explained the proposed changes. Mr. Reitz stated the Plan Commission held a public hearing for this zoning text amendment on June 9, 2009 and sends this text amendment with a favorable recommendation of 7-0-0. Commissioner Wathen stated there were no remonstrators at the public hearing and made a motion to approve this zoning text amendment as Ordinance No. 2009-17, as recommended by the Plan Commission. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ABANDONED PROPERTY

Don Reitz explained that with the current economy there are a large number of homes that have been abandoned and some of them have existing swimming pools that are creating a dangerous situation in many neighborhoods including possible drowning and mosquitoes. He inquired if there were any funds available that

can be used to cover the pools with plywood or repair damaged fence that would protect children from the pools in the interest of the safety of our citizens. The Commissioners requested Mr. Reitz to bring back some figures and cost to resolve this safety issue.

IN THE MATTER OF COMPUTER DEPARTMENT

John Parsons again explained the need for virtualization for the servers to reduce the number of servers in order to reduce costs and maintenance. In response to the request of the Commissioners last week, Doug Morris presented quotes: from NETwork Storage, Inc. and from Matrix Integration. The NETwork Storage, Inc. quote was a great savings to the County, if the order was placed by the end of June 2009. Mr. Parsons stated they could fund the majority of the cost for this equipment from the Computer budget and requested the remainder, approximately \$70,000, be funded from the Commissioners' equipment line. The total cost would be approximately \$112,902.20. Greg Steuerwald advised this equipment should be bid and that a Notice to Bidders be advertised. Commissioner Palmer moved to advertise for bids for this computer equipment for bid opening on July 14, 2009 in the Commissioners' Office at 9:30 AM, as recommended by the County Attorney.

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

IN THE MATTER OF CLEAN WATER

David Gaston presented a Memorandum of Agreement (MOA) regarding cooperation and coordination of implementing 327 IAC 15-13 (Rule 13) within Hendricks County between Hendricks County (through the Hendricks County Partnership for Water Quality) and the Town of Brownsburg, Indiana. Mr. Gaston explained this agreement and stated Brownsburg Town Council President Gary Hood had signed the agreement.

Commissioner Wathen moved to approve the Memorandum of Agreement with Brownsburg for Partnership for Water Quality and authorize the President to sign on behalf of the Commissioners. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF NATIONAL GEODETIC SURVEY - CORS

David Gaston presented a handout of the National Geodetic Survey – CORS and explained this system was recently added to the Government Center and the advantages of this mapping system to the County. Mr. Gaston also stated this mapping system is available for use to all Hendricks County citizens at no cost as it was funded from taxpayers money.

IN THE MATTER OF AMATEUR RADIO WEEK

Commissioner Whicker acknowledged request from Jay Wright for a proclamation recognizing the week of June 21, 2009 as Amateur Radio Week and read the following proclamation:

P R O C L A M A T I O N

AMATEUR RADIO WEEK

WHEREAS, the County of Hendricks, has more than 1,000 licensed Amateur Radio Operators who have demonstrated their value in public assistance by providing emergency radio communications; and

WHEREAS, these Amateur Radio Operators donate these services free of charge to Hendricks County in the interest of the citizens of the County as well as the world; and

WHEREAS, these Amateur Radio operators are on alert for any emergency, local and World wide and practice their communications skills during the American Radio Relay League's Field Day exercise; and

WHEREAS, the Amateur Radio Field Day will take place Saturday, June 27 and Sunday, June 28, 2009 at Hendricks County 4-H Fairgrounds and Conference Complex. Hendricks County also recognize the central Indiana counties participating in Marion County for the Central Indiana Amateur Radio Community.

NOW, THEREFORE, we as Commissioners of the County of Hendricks hereby declare the week of June 21, 2009, AMATEUR RADIO WEEK.

In recognition of this important emergency preparedness exercise we call upon all citizens to pay appropriate tribute to the Amateur Radio Operators of Hendricks County.

In witness whereof Hendricks County Board of Commissioners, dated this 23rd day of June 2009.

SEAL

(Signed)

David A. Whicker, President

Phyllis A. Palmer, Vice President

Eric L. Wathen, Member

Commissioner Palmer moved to approve and sign the Proclamation recognizing the week of June 21, 2009 as Amateur Radio Week. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SHERIFF'S PENSION PLAN

Mike Graham gave a brief update on the review of the Sheriff's pension plan. It was the consensus of the Commissioners for Mike Graham to check with the Council and the Sheriff on this matter and bring back a report.

IN THE MATTER OF GRANT – FLOOD RECOVERY

Mike Graham reported on the agreement signed last week with Banning Engineering to write a grant on the County's behalf to the Indiana Office of Community and Rural Affairs with the grant money to provide Hendricks County an additional \$18,000 for 2008 flood recovery. He advised that as a part of the grant process

Hendricks County will be required to adopt a Fair Housing Ordinance and presented a sample ordinance. It was the consensus of the Commissioners to add discussion of this fair housing policy to the July 7, 2009 agenda for further consideration.

IN THE MATTER OF NACo

It was noted that last week in discussion of the Hendricks County participation in NACo the Commissioners had asked the amount of the dues Hendricks County paid to NACo and a check of the records indicates in 2008 the County paid the NACo annual dues for 2009 in the amount of \$1,870.

Mike Graham gave a brief update on the history of Hendricks County membership with NACo and of the various elected officials participation in NACo. He also reported there are 4,322 Hendricks County residents that have used the Prescription Drug Discount Card that is provided to counties that are members of NACo.

It was the consensus of the Commissioners to add NACo funding to the July 7, 2009 agenda for further discussion.

IN THE MATTER OF ENERGY STUDY - AMERESCO

John Ayers presented the Section 1, Executive Summary from AMERESCO listing the results of a preliminary facility assessment for the Hendricks County Courthouse and the Hendricks County Government Center to identify energy conservation measures as well as other facility improvement measures that are consistent with the County's goals on energy conservation. Mr. Ayers stated they are pursuing additional information and are working toward applying for an ARRA Department of Energy grant to implement some of these measures. It was the consensus of the Commissioners for the Engineering Department to continue working on this grant energy study.

IN THE MATTER OF BIDS FOR CARPET REPLACEMENT IN GOVERNMENT CENTER

John Ayers advised there were several things to take into consideration on awarding the bid for carpet replacement in the Government Center and requested to continue the awarding of the bid to the July 7, 2009 meeting. It was the consensus of the Commissioners to continue the awarding of the bid for carpet replacement in the Government Center to the July 7, 2009 meeting, as requested by the County Engineer.

IN THE MATTER OF GOVERNMENT CENTER WINDOWS

John Ayers explained the contractor for replacement of windows in the Government Center had replaced one window in the Government Center to make sure of the window installation and of the windows before all of the windows were ordered. He noted they have resolved some small issues and all of the windows have now been

ordered and will be delivered in August 2009 and then installed.

IN THE MATTER OF BIDS FOR TILDEN TERRACE

John Ayers reported that eleven bids were opened last week for the Tilden Terrace Drainage Project and the Engineering staff has reviewed all bids. He stated Yardberry Landscape Excavating Company was the low bid in the amount of \$166,733.75 and Dotlich was the second low in the amount of \$172,000. Mr. Ayers recommended awarding the bid to Yardberry Landscape, as the lowest bid received for this drainage project. Commissioner Palmer moved, based on the Engineer's recommendation, to award the bid for the Tilden Terrace Drainage Project to Yardberry in the amount of \$166,733.75, as the lowest most responsive and responsible bid received. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF JAIL

John Ayers informed the Commissioners the jail roof is in bad shape and needs to be replaced. Commissioner Wathen moved to advertise for bids for a 30-year roof for the jail, contingent on funding. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. Mr. Ayers will check the required specs and advertise for a new jail roof.

IN THE MATTER OF HAM RADIO - ANTENNA

John Ayers reported the ham radio operators have requested the addition of a 60 foot antenna on the roof of the Government Center. It was the consensus of the Commissioners to not take any action on this request until they had more details. They requested John Ayers to check with the ham operators for more specifics.

IN THE MATTER OF WASHINGTON TOWNSHIP PARK

Commissioner Palmer reported she and John Ayers had attended a meeting of the Washington Township Park and relayed several concerns that were expressed by citizens at the meeting. There was discussion that the County owned Lot 121 in Ridge Hill (Prestwick) was originally planned to be used for construction purposes and as an emergency entry/exit only. John Ayers reported the Avon Plan Commission heard this proposed park project at their June 2009 meeting and continued the park project for thirty days.

IN THE MATTER OF THE CENTRAL INDIANA REGIONAL TRANSIT AUTHORITY (CIRTA)

Mike Graham acknowledged receipt of the June 8, 2009 letter from CIRTA (Central Indiana Regional Transit Authority) requesting the 2009 Hendricks County contribution of \$10,702 and reported that Larry

Hesson is the County's representative on the CIRT board. There was discussion from which budget this should be funded, if a new line item should be established and if the County should participate and fund CIRT. It was the consensus of the Commissioners to not add a new line for CIRT, at this time, and for Mike Graham to discuss this matter with Council President Larry Hesson to bring before the Council.

IN THE MATTER OF CLERK'S OFFICE – CREDIT CARD PAYMENTS

Cindy Spence forwarded an agreement and request to change the credit card management company they use to accept credit card payments in the Clerk's office to Government Payment Services, Inc, GovPayEXP), which is the same credit card service that Hendricks County Treasurer Nancy March currently uses. Ms. Spence also advised that Attorney Greg Steuerwald had reviewed and approved the agreement. Commissioner Palmer moved to approve Agreement Number IN061509 HENENDRICKSCOUNTYCLERK01 with the Hendricks County Clerk and Government Payment Service, Inc. (d/b/a Government Payment EXP and GovPayEXP), as requested by the Clerk. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BROWNFIELD LOAN - WARRICK

Greg Steuerwald responded to the Commissioners' request last week to write a response to the Brownfield Delinquency Letter of Credit from Fifth Third Bank for the Warrick property and suggested the County contact Fifth Third Bank and give them an opportunity to respond before sending a letter. It was the consensus of the Commissioners for Auditor Cinda Kattau to contact Fifth Third Bank on the Letter of Credit for the Warrick property in Lincoln Township and bring back a report to the July 7, 2009 meeting.

IN THE MATTER OF TAX RELEASE

Cinda Kattau presented an error in the tax sale that needs approval for a tax release. It was the consensus of the Commissioners for the County Attorney to review this matter and bring a recommendation to the July 7, 2009 meeting.

IN THE MATTER OF LINK TRANSPORTATION GRANT

Commissioner Whicker acknowledged receipt of a phone call from Beth Ann Leach, Executive Director Senior Services, stating they were withdrawing their application for the transportation grant for LINK as they had determined they would not need this funding and, therefore, they would not need to come before the Commissioners today.

IN THE MATTER OF PROSECUTOR'S OFFICE

Commissioner Whicker acknowledged receipt of an Equitable Sharing Agreement and Certification from the Prosecutor's Office for a grant on Friday, June 19, 2009 that needed to be signed to meet the deadline. Commissioner Palmer moved to approve the Equitable Sharing Agreement and Certification from the Prosecutor's office and authorize the President to sign on behalf of the Commissioners. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ENGINEERING - 2010 BUDGET

John Ayers presented a summary sheet and a copy of the proposed 2010 Engineering budget and explained. Mr. Ayers advised of some proposed changes in staff positions in his department. He also presented a copy of the EDIT and Cum Cap budgets for 2010.

IN THE MATTER OF EAST CAMPUS ROAD

John Ayers reported the proposed road on the Hendricks County East Campus will go before the Danville Plan Commission for a variance in July 2009. He stated they plan to start this road project as soon as all requirements are approved.

IN THE MATTER OF COMMISSIONERS' 2010 BUDGET

The draft Commissioners' 2010 budget for presented for approval with a summary sheet explaining several changes. It was noted John Ayers has moved the \$20,000 from the Telephone equipment line 100-36601-000-135 to Cum Cap, which will reduce the Commissioners' budget \$20,000. Receipt was acknowledged of the Senior Service budget from Beth Ann Leach retaining her request for Senior Services the same as 2009 at \$30,000. The 2010 Fair Board budget was also received, which was reduced \$5,400 by the Fair Board. There was discussion of the budget and of the changes. Commissioner Wathen moved to approve the 2010 budget request, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker announced the Commissioners' budget hearing would be held on Tuesday, August 4, 2009 at 1:00 PM in the Government Center.

IN THE MATTER OF BROWNSBURG SEWER SERVICE AREA

Commissioner Wathen advised that he and Mike Graham would be meeting Tuesday, June 30, 2009 at 9:30 AM with representatives of the Brownsburg Town Council to discuss sewer service to the I-74 interchange area.

IN THE MATTER OF INDIANA COUNTY COMMISSIONERS' ASSOCIATION (ICC)

Commissioner Palmer announced she had been elected to serve as President of the West Central District of

the Indiana County Commissioners Association (ICC). The Commissioners congratulated Commissioner Palmer on being elected to this position.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:

1. IDEM Office of Water Quality, Sewer Permit Application Plans & Specifications for Sanitary Sewers Exit 59 Wastewater Facilities, Construction Permit, Extension Revision
2. INDOT, Planned Improvement for intersection of SR 267 & CR 100 North
3. Sullivan County Board of Commissioners requesting the State Legislature to create a Statewide Extraction Tax and request the support of the Hendricks County Commissioners to contact our legislators in support of enacting an Extraction Tax on any natural resource that is extracted from our land, water or air legislation.

Action needed/taken on the following:

1. Checks received and signed to the county: None
 2. Whicker signed vehicle titles for the following: Nine
 3. Documents needing action: None
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IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the June 15 through June 19, 2009 weekly Highway report from Martin Summers, Highway Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the June 15 through June 19, 2009 weekly Human Resources report from Ron Love, Human Resources Director.

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the June 15, 2009 Weights and Measures monthly report from Charles Colbert, Weights and Measures Inspector.

IN THE MATTER OF MEETINGS

It was announced that next Tuesday, June 30, 2009 would be a fifth Tuesday and there would be no Commissioners' meeting. The next meeting will be July 7, 2009.

IN THE MATTER OF REDEVELOPMENT COMMISSION

Commissioner Whicker announced Harold Hiser, President Redevelopment Commission, has requested a Redevelopment Commission meeting and it has been scheduled for Monday, June 29, 2009 at 7:00 PM.

IN THE MATTER OF FORD FAMILY

Commissioner Wathen asked that everyone keep the Ford Family in their prayers. Debbie Ford, Planning Department, suffered serious injuries to herself, husband Fred and son Chandler in a traffic accident over the

weekend and she lost her daughter Erin and friend Luke Lovins in that accident. Debbie, Fred and Chandler remain in the hospital at this time.

Commissioner Wathen moved to adjourn the Commissioners' meeting at 11:50 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

David A. Whicker, President

Phyllis A. Palmer, Vice President

Eric L. Wathen, Member

ATTEST: _____
Judith Wyeth, Deputy Auditor
