

November 10, 2009

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, November 10, 2009 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:

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
Dr. David Hadley		Hendricks County Health Director
David Gaston		Hendricks County Surveyor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Martin Summers		Hendricks County Highway Superintendent
Cathy Grindstaff		Hendricks County Director Environmental Health
Monica Smith		Hendricks County Director of Nursing
Judith Wyeth		Secretary to the Commissioners

Commissioner Whicker opened the meeting and led the Pledge to the Flag in unison. Commissioner Whicker requested a moment of silence be observed for the victims at Ft. Hood in Texas.

IN THE MATTER OF MINUTES

Commissioner Wathen moved to approve the minutes of the November 3, 2009 meeting, as corrected. Commissioner Palmer seconded the motion and the motion was approved 2-0-1 with Commissioners Wathen and Whicker voting aye and Commissioner Palmer abstaining as she did not attend the meeting, however, she stated that she did read the minutes.

IN THE MATTER OF CLAIMS

Commissioner Wathen moved to approve Claims #200244 thru 200249, #200250 thru 200268 and #200294 thru 200302, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Commissioner Whicker announced he had talked with Mike Jones, Lauth , and was informed they are working on the easement issue for Exit 59. Mike Graham presented a draft letter regarding the extension of the water line to the 70 West Commerce Park project at Exit 59. There was discussion of the easement and of the letter with the addition, “except for one remaining easement that we are currently in the process of obtaining”. Commissioner Wathen moved to approve the letter to Paul W. Kite, KS Hendricks PS Partners, LLC, and Glenn Giarardi, Johnson& Johnson Sales and Logistics Company, regarding to the waterline to the proposed Centerline project with the statement, “except for one remaining easement that we are currently in the process of obtaining” or other language as suggested by attorney Greg Steuerwald. . Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Mike Graham advised he had talked with representatives of Paul Kite and they are working on the suggested perimeter for a document or MOU. It was the consensus of the Commissioners for Mike Graham to continue to work with Paul Kite representatives to obtain a document relative to development at Exit 59.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers reported the State opened bids for the design of the Ronald Reagan Parkway from US Highway

36 to CR 100S last week. He noted the State estimate was \$12,200,000 and the low bid from Gradex was under the estimate at approximately \$11,230,000. He also stated the State will sign the contract for this phase of Ronald Reagan Parkway.

John Ayers stated they have completed paving the Ronald Reagan Parkway from US 36 to CR 100N and he will meet with representatives of the Town of Avon for reimbursement of their portion of the paving within the Town of Avon. Martin Summers stated the striping and shoulders are complete and the contractor did a good job on this portion of the parkway.

IN THE MATTER OF JUDICIAL CENTER

John Ayers stated the Advisory Committee for the judicial center met for their final meeting last week and they will present their study to the joint Commissioners and Council meeting on December 10, 2009.

IN THE MATTER OF BRIDGE NO. 188

John Ayers reported they set the beams for Bridge No. 188, located on CR “0” just south of CR 800S in Liberty Township, last week and they are on schedule with this bridge project.

IN THE MATTER OF HIGHWAY BIDS FOR 2010 SUPPLIES

John Ayers acknowledged receipt of the bids opened on October 27, 2009 for the 2010 calendar year Highway supplies and stated he and Martin Summers had reviewed all the bids. He presented a summary of items bid and items quoted with recommendations for awarding the bids as follows:

FUEL

Unleaded Gasoline	Co-Alliance	\$2.046 gal.
Diesel Fuel	Co-Alliance	\$2.171 gal
Winterized Diesel	Pinkerton Fuels	\$2.2220 gal

STONE

Lincoln Park Stone	Primary for Crushed Stone
US Aggregates	Fill Sand and Pea Gravel

PIPE - GALVANIZED (Award bid to all due to range of items)

Metal Culverts, Inc.
St. Regis Culvert, Inc.
CPI Supply

PIPE - ALUMINIZED (Award bid to all due to range of items)

Metal Culverts, Inc.
St. Regis Culvert, Inc.
CPI Supply

PIPE – PVC (Award bid to all due to range of items)

St. Regis Culvert, Inc.
CPI Supply
HD Supply Waterworks

ASPHALT

HMA Intermediate, Type A, F.O.B.	Milestone	\$ 46.50
HMA Surface, Type A, F.O.B.	Milestone	\$ 56.00
HMA Intermediate, Type A, paver laid	Milestone	\$ 37.58
HMA Surface, Type A, paver laid	Milestone	\$ 42.58
Cold Mix	Milestone	\$ 92.50
Liquid Asphalt AE-60 applied	Milestone	\$573.00
Liquid Asphalt AD-60 F.O.B.	Asphalt Materials	\$420.00

Regarding items that were quoted, the following vendors were recommended:

SIGNS

Hall Signs	Primary on traffic signs
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Stello

Sign posts
Secondary on traffic signs, when ordered in quantity

TIRES (Award bid to all due to range of items)
Pomp’s Tire
Indy Tire
Sullivan’s Tire

OIL AND LIBRICANTS (Award bid to all due to range of items)
NAPA
Jackson Oil

Commissioner Wathen moved to approve and award the bids and quotes for 2010 Highway supplies as recommended by the County Engineering and the County Highway Superintendent. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Martin Summers stated he plans to meet with the bidders to discuss bid comparisons.

IN THE MATTER OF NURSING HEALTH – H1N1

Monica Smith presented a Service Agreement for VNS (Visiting Nurse Service) to Staff the H1N1 Immunizations, if needed. It was noted the contract has been emailed to Greg Steuerwald and Rich Jensen for their review and comment. Greg Steuerwald stated this contract was acceptable. Ms. Smith stated they will not use this service unless necessary, but they wanted to be prepared with a back-up plan in order to provide all vaccinations of the H1N1, if necessary. It was noted the signature page was incorrect. Commissioner Palmer moved to approve the Service Agreement for VNS to staff for H1N1 immunizations between Visiting Nurse Service, Inc. and Hendricks County Health Department Nursing Division for assistance in providing immunizations, if needed, and authorize the President to sign on behalf of the Commissioners when a corrected signature page is provided. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF GIS

Mike Graham introduced Andrew Harrison of the Schneider Corporation, to provide the Beacon contract for the County GIS. Mr. Graham stated this contract with Schneider Corporation was approved on November 3, 2009. Commissioner Wathen moved to approve execution of the Beacon contract with Schneider Corporation for the County GIS, based on action taken by the Commissioners on November 3, 2009. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TATTOO ORDINANCE

Cathy Grindstaff requested consideration of an ordinance relating to tattoos, piercing and body modification for Hendricks County. Dr. David Hadley explained a call he had received from the Health Director of Allen County and some problems they had encountered with this type of body works in their county without an ordinance. Ms. Grindstaff stated that we currently have a few permanent establishments within the County for tattoos, however, there are several mobile and temporary establishments that do more than tattoos and body piercing that are not covered and presented a summary of a proposed ordinance. It was the consensus of the Commissioners for the Health Department to provide a draft ordinance for tattoos, body piercing and body modification for review in two weeks for further consideration on November 24, 2009.

IN THE MATTER OF CLEAN WATER

Surveyor David Gaston presented a Memorandum of Agreement regarding Cooperation and Coordination of Implementing 327 AC 15-13 (Rule 13) within Hendricks County between Hendricks County (through the Hendricks County Partnership for Water Quality) and the Town of Avon, Indiana and stated Avon Town Council President, Gregory A. Zupan, had already signed the document. He explained this agreement has already been approved for the other large towns of Brownsburg, Danville and Plainfield. Commissioner Wathen moved to approve the agreement with Avon for Rule 13 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 TOWN OF DANVILLE - BUILDINGS

Mike Graham reported The Danville Town Council is having an executive session to talk about selling the old Town Hall to the County and Town Manager Gary Eakin has asked for a letter from the County stating our interest in acquiring the property. Mr. Graham explained that after talking primarily with Larry Hesson, we wanted to see if Danville would be interested in establishing a present day value and the County acquiring the property with one lump sum payment. He presented a draft letter that makes an offer to acquire the old Town Hall, but it does not make a commitment about keeping the Courthouse downtown. He further stated that regardless of the eventual location of the Courthouse there is an immediate need to address the current space problems of the Courthouse and we now have an opportunity to address the current problem. Commissioner Whicker moved to purchase the Danville property for an amount of \$300,000 without a commitment to keeping the Courthouse downtown. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0. It was the consensus of the Commissioners to make the suggested changes in the letter and authorize the President to sign the revised letter on behalf of the Commissioners.

IN THE MATTER OF SOUTHPARK COURT

Mike Graham relayed a message from citizens requesting a new street sign for Southpark Court, which is a private street, located south of I-70, off of SR 267, and .25 mile west of CR 825E in Guilford Township. Current policy does not allow the County Highway Department to put in a street sign on a private street. Recently we have corrected the street addresses on Southpark Court and have caused a great inconvenience to the property owners. The citizens have asked for a new street sign that would cost approximately \$60. It was the consensus of the Commissioners to purchase and pay for the street sign for Southpark Court because of the address changers.

IN THE MATTER OF CHRISTMAS LIGHTING IN DANVILLE

Mike Graham acknowledged the Danville Chamber of Commerce had made a previous request to use the Courthouse lawn for a live nativity the evening they do their lighting of the Christmas lights in Danville and stated the Chamber has now withdrawn that request.

IN THE MATTER OF STORAGE

John Ayers reported that with the previous decision to remove the storage building at the East Campus there

is need to find alternative storage space and provided a quote for rental space from Tim Whicker for property owned by Whicker Plus. Commissioner Whicker withdrew himself for any discussion of this matter.

Commissioner Wathen requested to obtain the price of a new storage building that could be built at the East Campus. It was the consensus of the Commissioners for the County Engineer to obtain quotes for a pole barn to be used for storage at the East Campus.

IN THE MATTER OF SNOW REMOVAL

John Ayers presented an Inter Governmental Agreement with the Town of Avon for snow removal on the Ronald Reagan Parkway and stated he would give to Attorney Greg Steuerwald for his review and to then bring back for further consideration.

IN THE MATTER OF EXECUTIVE SESSION

John Ayers stated there would be an executive session at 11:00 AM today in the Government Center with Attorney Dan Zielinski to discuss property. It was noted the agenda has been duly posted.

IN THE MATTER OF GOVERNMENT CENTER

John Ayers gave a brief update on the replacement of carpet in the Government Center stating that all offices are completed and they are now working on the hallways and rotunda.

John Ayers stated he will meet today with the contractor for replacement of windows in the Government Center to resolve some issues.

IN THE MATTER OF HEARTLAND CROSSING - BONDS

Mike Graham presented a request from Attorney Bruce Donaldson, Barnes & Thornburg, for a resolution of the Board of Commissioners of Hendricks County approving the issuance of bonds of the Hendricks County Redevelopment District. He explained this is the refinancing of the TIF bonds for Heartland Crossing that has been approved by the Hendricks County Redevelopment Commission. Commissioner Wathen moved to approve and execute the Resolution of the Board of Commissioners of Hendricks County approving the issuance of bonds of the Hendricks County Redevelopment District as Resolution 09-15. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BROWNSBURG PUBLIC LIBRARY

Commissioner Whicker acknowledged receipt of the appointment form from the Brownsburg Public Library and stated that the Commissioners previously appointed Lugene Yearwood to another four-year term on the Board of Trustees of the Brownsburg Public Library Board. Commissioner Wathen moved to authorize the President to sign the appointment form for the appointment to the Brownsburg Public Library Board of Trustees as was approved on November 3, 2009. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF FARM SERVICE AGENCY

Receipt was acknowledged of the Farm Service Agency (FSA) County Committee Election Ballot listing one candidate, J. Michael Ross. Commissioner Wathen moved to cast our vote for J. Michael Ross for the FSA and return. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF FORT HOOD

Commissioner Whicker announced that flags at all County buildings are flying at half staff in memory of those soldiers that lost their lives at Fort Hood this week.

IN THE MATTER OF IACC - LUNCH

Commissioner Whicker acknowledged receipt of a luncheon invitation from the Hamilton County Commissioners for noon on Wednesday, December 2, 2009, during the Indiana Association of County Commissioners (IACC) Annual Conference in Indianapolis, IN. All three Commissioners agreed to attend the luncheon with the Hamilton County Commissioners.

IN THE MATTER OF HENDRICKS REGIONAL HEALTH

Commissioner Whicker acknowledged reservations had been confirmed with the Board of Trustees of the Hendricks Regional Health for the Commissioners to join them for lunch at noon on Tuesday, November 24, 2009 at the hospital in Conference Room #6.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:

1. Hendricks/Putnam County FS Committee Ballot, Mike Ross, North Salem is the nominee.
2. Report from Dyer Environmental Services Early Coordination for Replacement/Rehabilitation of Hendricks Co. Bridge #272 on CR 550 West over CSX Railroad.
3. Nominations for Indiana Partnership for Transportation Quality Achievement Awards are due January 8, 2010.

Action needed/taken on the following:

1. Checks received and signed to the county:
 - a. CC Holdings GS V LLC Tower Lease \$6.44
 - b. CC Holdings GS V LLC Tower Lease \$6.44
 - c. CC Holdings GS V LLC Tower Lease \$6.44
 2. Whicker signed vehicle titles for the following:
 - a. 2006 Chevrolet Impala Sheriff's Department
 - b. 2006 Chevrolet Impala Sheriff's Department
 3. Documents needing action: None
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IN THE MATTER OF FUNDING OF COMMUNICATIONS CENTER

Commissioner Whicker announced the Commissioners and Council had met at 8:30 AM this morning in Room #3 of the Hendricks County Government Center with Senator Connie Lawson to discuss funding of the Communications Center with the use of LOIT (Local Optional Income Tax) and other funding options.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for November 2 to November 6, 2009 from Martin Summers, Highway Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the weekly Human Resources report for November 9 to November 13, 2009 from Ron Love, Human Resources Director.

IN THE MATTER OF PLANNING

Receipt was acknowledged of the October 28, 2009 monthly Report of Collections from Don Reitz, Planning Director.

IN THE MATTER OF VETERANS DAY

Commissioner Whicker announced all County offices will be closed on Wednesday, November 11, 2009 in observance of Veterans Day and that Lori Turpin, Chief Veterans Affairs Officer, has planned a program recognizing our veterans on November 11, 2009 in the Courthouse Rotunda at 11:00 AM.

IN THE MATTER OF CHRISTMAS LUNCHEON

Commissioner Whicker stated that Sandy Moore had agreed to again cater the Employee Christmas Luncheon at noon on Thursday, December 24, 2009 in the 4-H Conference Complex.

Commissioner Wathen moved to adjourn the Commissioners’ meeting at 10:55 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