



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE DECEMBER 11, 2018 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, December 11, 2018 in the Commissioners' Meeting Room located on the first floor of the Hendricks County Government Center at 355 S. Washington Street, Danville, IN 46122 with the following Hendricks County personnel in attendance:

Matthew D. Whetstone	Commissioner, President
Phyllis A. Palmer	Commissioner, Vice President
Bob Gentry	Commissioner
R. Todd McCormack	Executive Director
Mila M. Shaffer	Administration and Public Affairs
Gregory E. Steuerwald	Attorney
Nancy Marsh	Auditor
John E. Ayers	Engineer
Erin Hughes	Human Resources Administrator
Brett Clark	Sheriff
Kevin Cavanaugh	Facilities Manager
Tim Dombrosky	Planning Director
Eric Ivie	Parks and Recreation Interim Superintendent
Larry Scott	Assessor
Charlene Cuthbertson	Assessment Deputy
Jim Mardis	Regional Sewer/NPDS Director
LaDonna Hughes	Animal Shelter Director/Chief Animal Control Officer
Dr. David Stopperich	Health Officer
Julie Haan	Environmental Health Director
Evan Love	Sheriff's Department Sergeant
Amanda Goings	Sheriff's Department Captain
Jack Sadler	Sheriff's Department Captain
Susan Bentley	Chief Probation Officer
Doug Morris	I.T. Director
Dave Gaston	Surveyor
Gary Sowers	Financial Admin./Drainage Board Coordinator
Shawn Shelley	Treasurer
Sean Horan	Emergency Management Director
James McBryant	Cypress Manor Administrator
Novella Townsend	Office Manager/Legal Assistant
Robert Cheek	PTABOA

PLEDGE TO THE FLAG, PRAYER, AND DETERMINATION OF A QUORUM

Commissioner Whetstone opened the meeting at 9:00 AM with a quorum of all three (3) Commissioners present, led the Pledge to the Flag in unison, and gave a brief prayer for those who wished to participate.

IN THE MATTER OF RECOGNITION PRESENTATION

The Commissioners, by recommendation of the Recognition Committee, presented Sergeant Evan Love with the "Employee Making a Difference in Hendricks County" award and commended him for going above and beyond to assist a single parent in Hendricks County.

Sheriff Brett Clark reported Sergeant Evan Love recently pulled over a single parent in Hendricks County for expired license plates. During the traffic stop, Sergeant Evan Love learned that the parent was struggling financially trying to provide for their children without any financial support from the other parent. This interaction moved Sergeant Evan Love to reach out to his family to come together to make a monetary donation to help the parent with Christmas for their children. Sergeant Evan Love and his family presented the single parent with a gift card at their place of employment in Plainfield. Sheriff Brett Clark advised that Sergeant Evan Love didn't help the parent out for recognition and stated he did it just because that's the kind of person he is and expressed his gratitude for having Sergeant Evan Love as an employee.

IN THE MATTER OF MINUTES

Commissioner Palmer moved to approve the Minutes of the November 27, 2018 Commissioners' Meeting as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Payroll Check Number 110408, Direct Deposit Check Numbers 172503 through 173017, and all Budgetary Claims presented from the Auditor's Office for the period beginning November 29, 2018 and ending December 12, 2018, dated December 12, 2018. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EMPLOYEE MANUAL AMENDMENT FOR CLOSURES AND DELAYS

Todd McCormack reported the proposed revisions to the Hendricks County Employee Manual regarding closures and delays was sent out to the Department Heads/Elected Officials for review and advised John Ayers and Curt Higginbotham expressed some confusion in paragraph five (5) and six (6), which was resolved, and advised Larry Scott inquired why part-time employees who are working or are scheduled to work during the time(s) affected do not receive compensation for closures and/or delays. Todd McCormack stated the policy has never included part-time employees and advised Larry Scott has a valid point. Todd McCormack recommended approving the amendment as presented or to revise it to include part-time employees who are working or are scheduled to work during the closure or delay.

Nancy Marsh stated she agrees with Todd McCormack and Larry Scott and recommended part-time employees be included if they are working or are scheduled to work during the closure or delay.

Commissioner Gentry moved to approve the amendment with the inclusion of part-time employees who are working or are scheduled to work. Commissioner Palmer seconded the motion and the motion was approved unanimously.

IN THE MATTER OF ELECTED OFFICIALS

Sheriff Brett Clark reported he emailed a proposal from RQAW Corporation as his recommendation of the entity he would like to use to proceed with developing plans and the required feasibility study for a new jail and requested the proposal be reviewed by Greg Steuerwald and Kevin Cavanaugh for their input.

Commissioner Palmer suggested a Request for Qualification be advertised due to the complexity and price of the matter.

Commissioner Whetstone advised Greg Steuerwald and Kevin Cavanaugh to review the proposal and provide input during the December 26, 2018 Commissioners' Meeting.

IN THE MATTER OF PUBLIC HEARING FOR THE VACATION OF ROADWAY REQUEST

Commissioner Whetstone opened the Public Hearing for the vacation of roadway request by Martin C. Farms, Inc. and Merlin E. Martin Family Limited Partnership (Petitioner) at 9:20 AM to vacate a portion of West County Road 650 South commencing approximately 1,975 feet west of the intersection of County Road 650 South and County Road 350 West, south to the East Fork Mill Creek and that portion of South County Road 450 West located east of East Fork Mill Creek and south to approximately 7001 South County Road 450 West, for a total

distance of 1.1 miles.

Samuel Swafford, representative for the Petitioner from Faegre Baker Daniels, presented the Petition to Vacate and the proposed Ordinance Vacating the above listed roadway and requested approval. Samuel Swafford reported the Petitioner owns the majority of the property that is contiguous to the roadway and advised no homes on the adjacent property owners land require the roadway for direct access to a public road and vacating the roadway would not adversely affect access to any major public road as they are able to access US 40 without the roadway. Samuel Swafford further reported vacating the roadway would prevent trespassing and damaging fields along the roadway and presented pictures of the damage to the fields and graffiti on the roadway. Access to the roadway would be restricted by the installation of locked gates and a key would be provided to Hendricks County Power and any others who required entry. Hendricks County Power did consent to the Petition to Vacate as long as they were provided a key to access the area.

Jeffrey and Stephany Myrick, residents of 2663 West County Road 500 South in Clayton, and Stephen Vaughn, resident of 5884 S. County Road 400 West in Coatesville, all opposed vacating the roadway as it would create one way in and one way out of the area and to their adjacent property and stated the roadway was created for lawful public use and they do not want it closed. Stephen Vaughn advised blocking the roadway would not prevent individuals congregating at the “dead end” the closure would create and stated the unlawful activities occurring in the area occur all over the county roads and doesn’t feel closing it would stop the activities. Jeffrey and Stephany Myrick and Stephen Vaughn expressed their concerns about accessing the area to maintain their fields as there would be no permanent easement to protect their rights for access.

Commissioner Whetstone closed the Public Hearing at 9:36 AM.

There was discussion amongst the Commissioners, the Petitioner, and the Remonstrators in regards to changing the proposed area to be vacated to not create a “dead end” and to create a permanent easement for access by adjacent property owners. If the proposed area is to be revised, additional adjoining property owners would need to be notified and another Public Hearing would need to be held. John Ayers advised vacating this roadway does not negatively affect the Highway Department. Jeffrey and Stephany Myrick and Stephen Vaughn advised they do not want any portion of the proposed roadway to be closed/vacated.

Commissioner Palmer moved to table the matter until the December 26, 2018 Commissioners’ Meeting to allow time for Samuel Swafford and the Petitioner to communicate with Jeffrey and Stephany Myrick and Stephen Vaughn. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CYPRESS MANOR UPDATE

Commissioner Whetstone reported the matter was moved to the December 26, 2018 Commissioners’ Meeting.

IN THE MATTER OF SUBSTANCE ABUSE EDUCATION CLASSES

Susan Bentley presented the Contract from The Willow Center for 2019 substance abuse education classes in the amount of \$15,000.00 and recommended approval.

Commissioner Gentry moved to approve the Contract as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REQUEST FOR PROBATION DEPARTMENT SPACE FEASIBILITY STUDY

Commissioner Whetstone reported a request for a Probation Department Space Feasibility Study was received on December 10, 2018 from Susan Bentley and the Judges. Commissioner Whetstone advised the County is aware of the need for additional space and stated options are currently being discussed with Kevin Cavanaugh and does not believe there is a need to spend additional funds to study what space is needed. Kevin Cavanaugh will advise if it is determined a study is needed and/or required.

IN THE MATTER OF PTABOA MEMBER PER DIEM

Robert Cheek requested the 2019 daily per diem for PTABOA be increased from \$125.00 per day to \$175.00 as Commissioners’ Meeting Minutes – December 11, 2018

there has not been an increase in several years.

Commissioner Gentry moved to approve increasing the 2019 PTABOA member per diem to \$150.00 per day. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SHERIFF RESERVE ACCIDENT POLICY RENEWAL

John Parmley, representative from HBG Insurance and Bonds, presented the 2019 Sheriff Reserve Accident Policy renewal required by statute and requested approval. John Parmley advised there are three payment options available; a one-year premium for \$4,380.00, a three-year rate guarantee installment premium of \$4,100.00 per year (saves \$280.00 per year), or a three-year rate guarantee prepaid premium of \$11,859.00 (saves \$1,281.00 per year).

Commissioner Palmer moved to approve the Policy as presented with the three-year rate guarantee prepaid premium of \$11,859.00. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CONGRESSIONAL OFFICE SPACE LEASE

Commissioner Whetstone reported newly elected Congressman Jim Baird has requested to continue leasing the Congressional Office Space in the Government Center beginning January 1, 2019 for \$500.00 per month and recommended approval. Commissioner Whetstone presented a sample District Office Lease and a formal letter from the Office of the Chief Administrative Officer of the U.S. House of Representatives stating members of Congress can accept free or discounted space priced below fair market rate from their state, city, or county government in a government owned or leased building. Commissioner Whetstone advised the two entryways to the office area are required as part of their security.

There was discussion on the matter amongst the Commissioners. Commissioner Palmer reported space is an issue, as presented by Susan Bentley earlier in the Meeting, and stated if the decision to lease is made that the space be leased for at least fair market value but encouraged saving the space for other County offices instead of leasing to elected Congressman Jim Baird. Commissioner Gentry reported he feels it's important for the constituents to have access to the District Office. Commissioner Whetstone advised this will be their main District Office.

Commissioner Gentry moved to approve leasing the Congressional Office Space as presented with Greg Steuerwald to finish the details of the Lease. Commissioner Whetstone seconded the motion and the motion was approved by majority 2-1-0; Commissioner Palmer opposed as she would like the space to be used for County office space needs.

IN THE MATTER OF ANNUAL NEPOTISM CERTIFICATION BY ELECTED OFFICER

Erin Hughes reported the State of Indiana requires an Elected Officer to certify annually in writing to the executive of the unit before December 31st of each year that they have complied with IC 36-1-20.2 and IC 36-1-21 regarding nepotism and requested approval to send out an Annual Nepotism Certification by Elected Officer form to be signed and returned.

It was the consensus of the Commissioners to approve sending out the form.

IN THE MATTER OF INSURANCE HOLIDAYS

Erin Hughes requested the pay schedule be amended to move the insurance holidays (pay dates where insurance premiums are not collected) from the last pay in November and the first pay in December to the months where there are three (3) pay periods instead. Erin Hughes advised that moving these insurance holidays to the end of the year causes some employees hired towards the third quarter of the year and after to pay up to three months in advance in one pay period to accommodate for the insurance holidays. Erin Hughes stated more employees purchased optional insurance products this year, possibly because the premiums were automatically calculated in the Steele Benefits during Open Enrollment, which resulted in more employees being affected by the catch-up

premiums caused by the insurance holidays being later in the year.

It was the consensus of the Commissioners to leave the insurance holidays alone for 2019 as most employees seem to like not having insurance premiums deducted around the holiday.

**IN THE MATTER OF COMMISSIONERS' HOLIDAY LETTER AND DATE FOR EMPLOYEE
YEARS OF SERVICE AWARDS CEREMONY**

Mila Shaffer presented two drafts of the Commissioners' Holiday Letter, one with the Employee Years of Service Awards Ceremony on January 22, 2019 and one with the Ceremony on February 12, 2019, and requested a date be chosen so the Letter can be sent out.

Commissioner Whetstone stated all County Offices will be open normal business hours on Friday, December 21, 2018 and closed on Monday, December 24, 2018 and on Tuesday, December 25, 2018. All County Offices will reopen for normal business hours on Wednesday, December 26, 2018.

Commissioner Gentry moved to approve the Letter with the Ceremony being held on January 22, 2019. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

**IN THE MATTER OF AWARDING THE 2019 HIGHWAY DEPARTMENT
PRODUCTS AND SUPPLIES**

John Ayers presented the following award recommendations and Contracts for the 2019 Highway Department Products and Supplies and requested approval:

VENDOR	PRODUCTS AND SUPPLIES
Asphalt Materials	Bituminous Materials; Liquid Asphalt, AE-90, RS2 F.O.B.
Milestone	Bituminous Materials; HMA Intermediate Type A F.O.B., HMA Surface Type A F.O.B., HMA Intermediate Type A Paver Laid, HMA Surface Type A Paver Laid, Cold Mix F.O.B., and AE-60
Petroleum Traders	Fuel; 87 Octane w/10% Ethanol and Premium Diesel 48+ Cetane
Pinkerton Oil	Fuel; Premium Diesel Winterized 50+
Civilcon	Pipe; Corrugated Metal, H.D.P.E., and Aluminized
E3Bridge	Pipe; Corrugated, H.D.P.E., and Aluminized
Metal Culverts	Pipe; Corrugated and Aluminized
St. Regis	Pipe; Corrugated, H.D.P.E., and Aluminized
243 Quarry (Primary)	Stone; #1, #2, #4, #5, #7, #8, AP #8, #9, #11, Double Wash #11, #53, #73, Rip-Rap Revetment, Uniform Rip-Rap, and Shot Rock
Lincoln Park (Secondary)	Stone; #0, #1, #2, #4, #5, #8, #9, #11, Double Wash #11, #53, #53 Commercial Grade, #73, Rip-Rap Revetment, and Uniform Rip-Rap

John Ayers stated Mansfield Oil was the apparent low bidder on both grades of diesel fuel, however, they have advised they are unable to meet our minimum bid specifications. Therefore, the bids were awarded to the second lowest and responsible bidder(s).

Commissioner Palmer moved to approve awarding the Contracts as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF FEDERAL FUNDING LETTER OF SUPPORT

John Ayers presented a Federal Funding Letter of Support for Bridge No. 149 on County Road 600 South to apply for funding for the project and requested approval.

Commissioner Gentry moved to approve the Letter as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

**IN THE MATTER OF INGRESS AND EGRESS EASEMENT FOR BROWNSBURG COMMUNITY
SCHOOL CORPORATION PARCEL**

John Ayers presented an Ingress and Egress Easement with Brownsburg Community School Corporation for a parcel they own at the intersection of County Road 750 North and County Road 900 East that is required for the Ronald Reagan Parkway Project and recommended approval.

Commissioner Palmer moved to approve the Easement as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PUTNAM COUNTY LINE ROAD IMPROVEMENTS

John Ayers reported Commissioner Gentry, Curt Higginbotham, and himself met with Dave Berry and Mike Rickets from Putnam County regarding repairs to County Road 700 West, south of US 40, and to County Line Road, north of SR 236, a total of approximately 2.44 miles. Putnam County's proposed method will cost approximately \$83,000.00 for materials and they will also need assistance hauling the materials. John Ayers advised the County offered to allow use of the Highway Department's trucks to help haul the materials for the repairs and inquired what portion of the materials cost the County Commissioners would agree to pay for, if any. John Ayers stated he does not know if Putnam County will ask for assistance in paying for equipment rental needed to perform the work.

There was discussion amongst the Commissioners, John Ayers, and Nancy Marsh. Commissioner Palmer is opposed to sharing any of the costs for these repairs as they are not in Hendricks County's jurisdiction and feels the County is being a good neighbor by providing the hauling for the materials for the repairs and suggested Mill Creek School Corporation be asked to participate as well. Commissioner Gentry stated the roadways are causing damage to busses in Hendricks County School Districts and feels we have an obligation to the taxpayers who have homes located in these areas. John Ayers suggested using other funding sources besides Highway Gas Tax funds since the roads in question are not in the County's jurisdiction. Commissioner Whetstone suggested a Memorandum of Understanding be created with Putnam County outlining the terms. Commissioner Gentry requested John Ayers contact Mill Creek School Corporation to see if they can participate. Nancy Marsh advised a Request for Additional Appropriation will need to be made to the Council for funding.

Commissioner Gentry moved to furnish the hauling for the repair materials, fund up to fifty percent (50%) of the \$83,000.00 for the bituminous materials, implement a Memorandum of Understanding with Putnam County, and to request Mill Creek School Corporation and Northwest Hendricks School Corporation to participate. Commissioner Whetstone seconded the motion and the motion was approved by majority 2-1-0; Commissioner Palmer opposed as the areas are not in the County's jurisdiction.

IN THE MATTER OF 2018 INDOT ROAD INVENTORY SUBMITTAL LETTER

John Ayers presented the 2018 INDOT Road Inventory Submittal Letter and recommended approval.

It was the consensus of the Commissioners to approve the Letter as submitted.

IN THE MATTER OF SALE OF EXCESS COUNTY PROPERTY

Kevin Cavanaugh advised a list of excess County property is being developed and would like to advertise the items for sale on the County's website with photos and award the sale of the item to the highest bidder during a Commissioners' Meeting.

Greg Steuerwald stated he would need to research this idea to see if it is acceptable to satisfy the legal requirements and would provide further information on a later date.

IN THE MATTER OF CAPITAL IMPROVEMENTS PROJECT LISTING

The Commissioners requested Kevin Cavanaugh work on prioritizing the Capital Improvements Project Listing and provide the list to them as soon as possible. Kevin Cavanaugh apologized for the delay in providing the list.

IN THE MATTER OF FAIRGROUNDS COMPLEX INTERNET

Doug Morris reported the Fairgrounds Complex is now fully using internet from Endeavor and no longer have a need for the Comcast internet and request permission to contact Steve Patterson at the Fairgrounds and proceed with terminating and removing the Comcast internet from the property.

It was the consensus of the Commissioners for Doug Morris to proceed as requested.

IN THE MATTER OF PURDUE EXTENSION OFFICE COPIER

Doug Morris reported the Purdue Extension Office copier is nearing replacement and advised the estimated cost to replace this machine is between \$18,000.00 to \$20,000.00 and requested input on how to proceed.

It was the consensus of the Commissioners to review the statute to determine cost responsibility for this copier as their office is a cooperative that is multi-funded.

IN THE MATTER OF THE CONGRESSIONAL OFFICE SPACE

Doug Morris requested permission to consult with the incoming Congressional Office to work with them on condensing their media equipment back into the designated space as it has taken over the County's media space.

Commissioner Whetstone suggested Doug Morris obtain their contact information from Greg Steuerwald to outline the specifics of this in their Lease as they have to have a network cabinet for their media.

IN THE MATTER OF COUNTY ATTORNEY

No matters presented.

IN THE MATTER OF COMMISSIONERS

No matters presented.

IN THE MATTER OF WISHES TO BE HEARD

No matters presented.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

TITLES ENDORSED

1. 2009	Chevrolet	Impala	VIN: 2G1WT57K691100345	Auction
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CHECKS RECEIVED

1. \$472.56	OB Services	Claim No. 0AB243513-01-01	Sheriff's Department
2. \$30,500.00	Florida Automobile Joint Underwriting Association	Claim No. AIFA-0056B2	

STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the Engineering Department Report of December 11, 2018 from John Ayers.
 2. Receipt was acknowledged for the Facilities Department Report of December 11, 2018 from Kevin Cavanaugh.
 3. Receipt was acknowledged for the Executive Director's Report of December 11, 2018 from Todd McCormack.
 4. Receipt was acknowledged for the I.T. Department Report of December 11, 2018 from Doug Morris.
 5. Receipt was acknowledged for the Human Resources Report of November 23, 2018 through December 7, 2018 from Erin Hughes.
 6. Receipt was acknowledged for the Animal Shelter and Control Report for the month of November 2018 from LaDonna Hughes.
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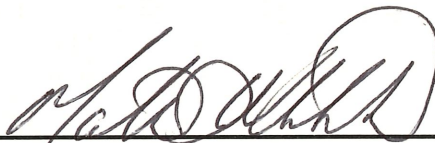
7. Receipt was acknowledged for the Parks & Recreation Department Report of December 7, 2018 from Eric Ivie.
8. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period October 1, 2018 through October 31, 2018 from Tim Dombrosky.

CORRESPONDENCE RECEIVED

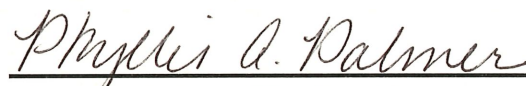
1. Letter from One Beacon Insurance Company regarding Claim No. 0AB237953.
2. Notice of Tort Claim from Ken Nunn Law Office representing Joseph M. Lewis.
3. Notice of Tort Claim from Ken Nunn Law Office representing Marlene S. and Dennis Halfhill.
4. Meeting Agenda and Minutes from the October 25, 2018 Meeting from Cummins Behavioral Health Systems, Inc.
5. Notice to of Avon Redevelopment Commission Public Hearing on Declaratory Resolution establishing the Ronald Reagan Parkway Economic Development Area and the Avon Landing Allocation Area.

IN THE MATTER OF ADJOURNMENT

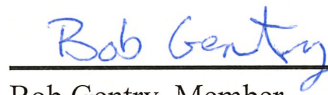
Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 11:00 AM on Tuesday, December 11, 2018. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.



Matthew D. Whetstone, President



Phyllis A. Palmer, Vice President



Bob Gentry, Member