

February 2, 2010

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, February 2, 2010 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)	
Eric L. Wathen)	Hendricks County Board of Commissioners
Phyllis A. Palmer)	
Tyler Starkey		Hendricks County Acting Attorney
Cinda Kattau		Hendricks County Auditor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
James McBryant		Administrator Cypress Manor
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 the January 26, 2010 meeting, 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 #202354 thru 202762, #095263 thru 095386 and direct deposit #055798 thru 056201, as presented. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Mike Graham stated we are still waiting on the signed easement for the water line through the Koger property at Exit 59. He also stated the County has provided a Letter of Credit and the signed contract to Veolia Water for the water line to Exit 59.

Mr. Graham advised the representatives from Kite have requested a letter from Veolia that they will provide water service to their project at Exit 59, known as 70 Commerce Park.

Commissioner Whicker announced Valenti-Held has completed the sewer project at Exit 59 and the County is waiting for the executed completion document.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers stated they are waiting on a Notice to proceed from INDOT to start the bridge on the Ronald Reagan Parkway over the CSX tracks.

John Ayers reported he and Commissioner Wathen will meet on February 12, 2010 with representatives of INDOT at the Crawfordsville District office along with several representatives of the Town of Brownsburg to discuss SR 267.

John Ayers advised they are proceeding with the survey of the Ronald Reagan Parkway from CR 100 S to CR 200S.

Commissioner Palmer stated she had invited Commissioner Wathen to speak to an organization to explain the Ronald Reagan Parkway progress and they were very pleased with his information.

IN THE MATTER OF TOURISM COMMISSION

Emory Lencke, Executive Director Hendricks County Convention and Visitors Bureau, stated there was one other appointment that needed to be made to the Tourism Commission and requested the appointment of Greg

Hole to fill a vacancy on the Tourism Commission due the resignation of Allan Bolante as Mr. Bolante has chosen to no longer serve. Mr. Lencke explained Mr. Hole is a resident of Hendricks County and owns and operates West Chase Golf Club and the Tomahawk Hills Golf Club, both in Hendricks County. He stated this appointment is a two-year term that will expire on December 31, 2011. Commissioner Palmer moved to appoint Mr. Greg Hole to serve on the Convention and Visitors Bureau Tourism Commission thru December 31, 2011. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Emory Lencke explained they had eleven responses to the Tourism Commission Requests for Proposals (RFP) for a convention center on property they already own. He stated after a thorough review the Tourism Commission determined that none of the proposals met their plans and they are now considering to again request RFP for this proposed project.

Emory Lencke complimented Commissioner Palmer for her participation and attendance at the Capital Improvement Board (CIB. It was a meeting of representatives from the donut counties to make an appointment to the CIB as a voting member to represent the donut counties and Brenda Meyer of the Hamilton County Tourism Director was selected to serve on the CIB as a representative of the donut counties. He stated the appointee was an excellent choice and would be a very good representative to voice the concerns of the donut counties.

IN THE MATTER OF PROLIANCE CONTRACT

Mike Graham requested the contract with ProLiance for reduction of Jail and Government Center Vectren bills be continued as Greg Steuerwald had not reviewed this contract. It was the consensus of the Commissioners to continue the ProLiance contract.

IN THE MATTER OF PICTOMETRY CONTRACT

Commissioner Whicker acknowledged a request from Assessor Gail Brown to continue the Pictometry contract to the February16, 2010 meeting. It was the consensus of the Commissioners to continue the Pictometry contract to the February 16, 2010 meeting, as requested by the County Assessor.

IN THE MATTER OF ANIMAL CONTROL

Mike Graham referenced the December 1, 2009 meeting when Dr. Brian Mehringer with the Avon Veterinary Clinic requested the Commissioner to consider establishing an exclusive agreement that his clinic provide all spray/neuter operations for all adopted pets from the Hendricks County Animal Control Shelter. He explained the current practice allows a person adopting a pet to select one of 16 facilities from a list maintained by Animal Control or go to another vet to have this procedure done and the adopting person must provide proof that they have prepaid for the sterilization procedure before taking the animal out of the shelter. He stated that the current procedures work and there are very few if any cases where the sterilization procedure is not done. Mr. Graham stated he has talked to four vets on the list to determine if they had an opinion regarding the County establishing an exclusive agreement with one clinic and the best summary of the comments received was they did not object to the use of an exclusive clinic provided they were the exclusive clinic. He further

stated that the current procedure is working and an exclusive contract would limit competition and presented a draft letter to Dr. Mehringer stating the Commissioners are not interested in having an exclusive spray/neuter service for animals being adopted from Hendricks County Animal Control. Commissioner Palmer moved to sign the letter to Dr. Mehringer of the Avon Veterinary Clinic opting not to have an exclusive spray/neuter policy at the Hendricks County Animal Control. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Mike Graham stated there seems to be increasing concerns over the operation of the Animal Control Department. He stated Commissioner Wathen has received several calls and Commissioner Palmer has met with the Human Society and has heard their concerns and there have been some negative comments entered on the Animal Control’s face book page. Mr. Graham provided two options to help stimulate discussion in order to craft a response:

- A. Establish an advisory board to provide a forum to introduce and discuss the operational issues associated with the shelter. This could provide immediate responses to the current concerns with the Commissioners establishing the composition of advisory board as they are not constrained by the Indiana Code.
- B. Have an evaluation of the Animal Control Shelter’s current plan of operation.

Belle Swain, 416 N. Center Street, Plainfield, stated she liked the plan to have an impartial review by a third party.

Tammy Gladish, 8083 Cornwall Court, Avon, stated she liked the diversity of a board.

There was discussion of the options. Commissioner Palmer moved to authorize Mr. Graham to check with the Indiana State Board of Animal Health and seek advice if someone was available to look at our facility. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0. It was the consensus of the Commissioners for Mr. Graham to bring back a report in two weeks

IN THE MATTER OF EMPLOYEE LIFE INSURANCE

Mike Graham explained Liberty National is the company who requested the opportunity to sell term insurance to the County employees. He stated the Commissioners earlier determined they were not interested in making this insurance available to County employees. Mr. Graham stated he expressed the Commissioners’ determination to the company and they have asked if they could present the plan to a Commissioner directly rather than staff. He inquired if a Commissioner was willing to hear their presentation? It was the consensus of the Commissioners to not meet with this firm.

IN THE MATTER OF VEOLIA WATER

Mike Graham reported he had a Letter of Credit issued by the State Bank of Lizton to comply with the requirements of Veolia to provide water service at Exit 59. He stated the cost of the Letter of Credit was \$2,500 and can be paid from the \$600,000 allocated by the Council from EDIT to pay for this project. Mr. Graham requested the Commissioners to ratify the action to have this Letter of Credit issued. Commissioner Wathen moved to ratify the Letter of Credit action in the amount of \$2,500 from the State Bank of Lizton for Veolia Water. Commissioner Palmer seconded the motion and the motion as approved unanimously 3-0-0.

IN THE MATTER OF DANVILLE PROPERTY

Mike Graham reported he will meet with a prospective building inspector for the Danville property in order for him to prepare a proposal for inspection services and stated a representative from the Danville Town Council will also attend the meeting with this prospective inspector. He stated he plans to present a proposal for inspection services of the Danville property at the next meeting.

IN THE MATTER OF POSSIBLE ADDITIONAL STIMULUS PACKAGE

John Ayers reported there was a possible additional stimulus package that would be available. He stated Assistant Engineer Jim Andrews attended a meeting with the Crawfordsville INDOT representatives on the requirements if there was another stimulus. John Ayers explained some possible projects that would meet the criteria and stated they could do paving projects in Hendricks County for County Roads; however, subdivision streets do not qualify. Mr. Ayers stated he will provide a list of possible Hendricks County projects at the meeting next week.

IN THE MATTER OF SR 39 - UNOFFICIAL DETOUR

John Ayers presented the January 28, 2010 Letter of Understanding from INDOT for Unofficial Local Detour of SR 39 for Pavement Replacement from north of SR 42 to US 40 for replacement of the bridge over McCracken Creek and listing the official detour will follow I-70 – SR 267 & SR42. The Unofficial Local Detour is listed on CR 900S/CR 100E/CR 1000S and stated construction began January 2010. Commissioner Wathen moved to sign the Unofficial Local Detour between INDOT and Hendricks County due to closing of SR 39 for detour over on CR 900S/CR 100E/CR 1000S. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIDGE NO. 188

John Ayers presented a Change Order from H. E. Henderson, Inc. for Bridge No. 188, located on CR 0 south of US 40, in Liberty Township, in the amount of \$6,242.72 and gave an explanation for the job overrun of 3.8% for this project. Mr. Ayers stated the total cost of this project including this Change Order is \$178,201.64. Commissioner Palmer moved to pay the invoice for this Change Order in the amount of \$6,242.72 to H. E. Henderson for Bridge No. 188. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF METROPOLITAN PLANNING ORGANIZATIN (MPO)

John Ayers presented the Metropolitan Planning Organization (MPO) 2010 invoice in the amount of \$17,246 as based on the 2000 Census population for Hendricks County's share. Commissioner Wathen moved to pay the MPO for 2010 dues in the amount of \$17,246. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Palmer explained some proposed projects for the CIRT A on rapid transit proposal which had representatives from MPO involved.

IN THE MATTER OF WELCH LAKE

John Ayers explained the drainage and erosion problems at Welch Lake, located at SR 267 and County Line Road. He presented a map from Banning Engineering showing grading and inlet repair to resolve these

problems, which are caused by drainage from the road. Mr. Ayers requested to get quotes for this project and stated these repairs could be funded from the Wheel Tax. Commissioner Wathen moved to approve the request to fund the project to resolve drainage problems at Welch Lake from the Wheel Tax and to get quotes for this project. Commissioner Palmer seconded the motion and requested that signs be posted at the site stating this project was funded from the Wheel Tax. The motion was approved unanimously 3-0-0.

IN THE MATTER OF HIGHWAY SUPERINTENDENT

John Ayers announced the new Hendricks County Highway Superintendent Curt Higginbotham started work at the Highway Department yesterday. The Commissioners expressed their appreciation to Martin Summers, Highway Superintendent, for coming out of retirement to come back to work with the County and for extending his retirement date until Mr. Higginbotham had started and staying to train him for one week. Mr. Summers last day will be Friday, February 5, 2010.

IN THE MATTER OF DONNELLY HEIGHTS

Commissioner Wathen inquired of progress in resolving drainage problems in Donnelly Heights. John Ayers stated Banning Engineering will bring plans for Donnelly Heights to the Drainage Board next week for consideration.

IN THE MATTER OF CR 901E

Commissioner Wathen questioned the drainage problems on CR 901E between CR 600N and the I-74 Interchange. John Ayer stated he will check on this matter and report back.

IN THE MATTER OF COURTHOUSE SECURITY

Mike Graham reported this Friday, February 5, 2010 is the deadline for receipt of Judges’ comments on the Courthouse Security Plan submitted by Sheriff David Galloway and stated he has received some response. There was discussion of handling of the Courthouse security. It was the consensus of the Commissioners to keep all comments and decisions on Courthouse security confidential.

IN THE MATTER OF CYPRESS MANOR

James McBryant presented an application for Derek Akers for admission to Cypress Manor and gave a brief history of this individual stating he will be a temporary resident until he can be placed in another facility. Commissioner Wathen moved to allow this individual to stay at Cypress Manor up to March 2, 2010, or until he is placed in another facility, whichever comes first, and for Mr. McBryant to make application for social security benefits for this individual to cover the costs of his stay at Cypress Manor. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HEALTH BOARD

It was noted the term of Linda Bledsoe on the Hendricks Health County Board expired December 31, 2009 and that Ms. Bledsoe was appointed January 27, 2009 as a Democrat citizen appointee to fulfill the unexpired term of Esther Broyles. There was discussion the Health Board had advised that Ms. Bledsoe had been a valuable member of the Heath Board and that she was willing to continue to serve. It was also noted this is a four-year term through the end of 2013. Commissioner Wathen moved to reappoint Linda Bledsoe for a four-

year term to the Health Board through December 31, 2013. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COMMUNITY CORRECTIONS BOARD

Receipt was acknowledged of the January 28, 2010 letter from Richard A. Carlucci, Plainfield Town Manager, stating the Plainfield Town Council appointed Robin G. Brandgard, Town Council President, to serve as their representative on the Community Corrections Advisory Council. There was discussion of other appointments to be made by the Commissioners to the Community Corrections Board. Commissioner Wathen moved to appoint: Ben Neureiter, juvenile probation officer; Tonee Bell as a lay person; and Auditor Cinda Kattau, as a lay person, to the Community Corrections Board, and to look for another lay person to appoint to this Community Corrections Board. Commissioner Palmer seconded the motion and the motion was approve unanimously 3-0-0

IN THE MATTER OF TORT CLAIM

Receipt was acknowledged of a Tort Claim from Parr Richey Obremskey Frandsen & Patterson for Nathaniel Schoen, By and Through His Parents, Kris Schoen and Marrinda Schoen for incident of July 29, 2009 on CR 700S and 1000 feet west of Raceway Road, within Hendricks County jurisdiction. It was noted he original has been delivered to Rich Jensen and a copy faxed to Greg Steuerwald.

IN THE MATTER OF ASSESSOR’S OFFICE

Receipt was acknowledged of a lawsuit from Hubler Realty Company vs Hendricks County Assessor through the Tax Court of the State of Indiana, filed January 22, 2010. It was noted the original has been delivered to Rich Jensen and a copy hand delivered to Greg Steuerwald.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:

- a. IDEM, Office of Air Quality, Receipt of Air Quality Permit, Rieth Riley Construction Co., Inc, 500 South CR 200, Danville, IN.
- b. GIE (Governmental Interinsurance Exchange), Kevin Woodward, Commissioner, Wells County, has been elected to the GIE Advisory Committee for 2010/2013.

Action needed/taken on the following:

- 1. Checks received and signed to the county: None
- 2. Whicker signed vehicle titles for the following: None
- 3. Documents needing action: Cincinnati Companies-Bonds for the following:
 - a. Harold T. Gibson, Courthouse Security for Hendricks County Sheriff Department
 - b. James R. Pound, Courthouse Security for Hendricks County Sheriff Department
 - c. Joshua D. Faith, Merit Deputy for Hendricks County Sheriff Department
 - d. Lena A. Hopper, Clerical for Hendricks County Sheriff Department
 - e. Lloyd D. Morgan, Courthouse Security for Hendricks County Sheriff Department
 - f. Frank L. Kolacz, Jail Commander for Hendricks County Sheriff Department
 - g. William R. Shrewsbury, Transport Officer for Hendricks County Sheriff Department
 - h. Douglas B. Larimore, Jail Deputy for Hendricks County Sheriff Department
 - i. Michelle Bopp, Clerical for Hendricks County Sheriff Department
 - j. Nancy J. Watson, Clerical for Hendricks County Sheriff Department
 - k. Lisa R. Crist, Clerical for Hendricks County Sheriff Department
 - l. Starla A. Hale, Clerical for Hendricks County Sheriff Department
 - m. Rosemary Green, Clerical for Hendricks County Sheriff Department

- n. Tim J. Paris, Jail Deputy for Hendricks County Sheriff Department
- o. Amy B. Lobbia, Clerical for Hendricks County Sheriff Department
- p. Ronald J. Frazer, Jail Deputy for Hendricks County Sheriff Department
- q. Robert Lenover, Jail Deputy for Hendricks County Sheriff Department
- r. Jeffrey A. Hughes, Merit Deputy for Hendricks County Sheriff Department
- s. Brian R. Petree, Merit Deputy for Hendricks County Sheriff Department
- t. Jonathon W. Brown, Merit Deputy for Hendricks County Sheriff Department
- u. Janet Vanvlymen-Smith, Jail Deputy for Hendricks County Sheriff Department
- v. Donald M. Donaldson, Merit Deputy for Hendricks County Sheriff Department
- w. Melissa A. Richardson, Jail Deputy for Hendricks County Sheriff Department
- x. Jenny L. Scherrer, Jail Deputy for Hendricks County Sheriff Department

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the November 15, 2009 and the January 15, 2010 Weights and Measures Monthly Reports from Charles Colbert, Weights and Measures Inspector.

IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for January 18 to January 29, 2010 from James McBryant, Cypress Manor Administrator.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the January 25 – 29, 2010 Human Resources report from Ron Love, Human Resources Director.

IN THE MATTER OF A DRUG FREE INDIANA

Receipt was acknowledged of a notice from the Indiana Criminal Justice Institute advising that Hendricks County has been approved by the Governor’s Commission for a Drug Free Indiana based on the County’s Comprehensive Community Plan.

IN THE MATTER OF AUDITOR’S OFFICE - TAX RATES

Auditor Cinda Kattau stated the Hendricks County tax rates will be received today.

IN THE MATTER OF LEGISLATIVE DAY

Commissioner Palmer announced February 3, 2010 would be Association of Indiana Counties (AIC) Legislative Day and that she and Mike Graham planned to attend.

IN THE MATTER OF JANUARY 5, 2010 MINUTES CLARIFIED

Receipt was acknowledged of an email from Emory Lencke, Executive Director of Convention and Visitor’s Bureau, requesting the January 5, 2010 minutes should clarify the number of Commissioner appointments to the Tourism Commission as three and the name of the new hotel and management in Plainfield. It was the consensus of the Commissioners to amend the minutes of January 5, 2010 in order to clarify them

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 10:57 AM. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

David A. Whicker, President

Eric L. Wathen, Vice President

Phyllis A. Palmer, Member

ATTEST: _____
Judith Wyeth, Deputy Auditor



