

April 6, 2010

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, April 6, 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)	
Gregory E. Steuerwald		Hendricks County Attorney
Cinda Kattau		Hendricks County Auditor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Don Reitz		Hendricks County Planning Director
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 March 23, 2010 meeting, as corrected. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Wathen moved to approve Claims #095733 thru 095847 and Direct Deposit #057365 thru 057766, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF FACILITIES MANAGER

John Ayers introduced Kevin Cavanaugh as the new Facilities Manager for Hendricks County and stated he started last Monday. The Commissioners welcomed Mr. Cavanaugh.

IN THE MATTER OF EXIT 59

Commissioner Wathen reported on March 31, 2010 J&J closed on the property for their project at Exit 59.

Commissioner Wathen stated Love’s Travel Stop and Country Store plans to start construction this spring on their project at Exit 59.

John Ayers stated INDOT is reviewing the environmental study for the wetlands mitigation at Exit 59.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers announced there would be a ground breaking ceremony for the Ronald Reagan Parkway at CR 100S on Tuesday, April 13, 2010 at 1:00 PM. He stated he will contact the Town of Avon to invite them to this ceremony.

IN THE MATTER OF PARKS AT PRESTWICK - CR 100S NAME CHANGE

Commissioner Whicker announced they would hear the request for name change for CR 100S in Parks at Prestwick to Foxboro Drive that was continued from the March 16, 2010 Commissioners’ meeting.

Commissioner Palmer left the meeting in order to avoid possible conflict of interest.

Commissioner Whicker referenced the written request from Fred Palmer, Chairman Safety Committee, listing several reasons for the name change and the March 31, 2010 memorandum from Mike Graham listing “Talking Points” and several staff concerns relative to changing the name of a street/road. Commissioner Whicker also expressed some other concerns he had regarding this particular request. Commissioner Wathen moved to approve the request to change the name of the portion of CR 100S thru Parks at Prestwick to Foxboro Drive. Commissioner Whicker seconded the motion for purpose of discussion. Fred Palmer, Chairman Safety Committee, stated 25 residents would be effected by this name change and that 16 had signed a petition to change the name of CR 100S in Parks at Prestwick to Foxboro Drive and stated they have had no resident’s voice opposition to this change. He also

explained a meeting they held and letters they have sent to homeowners in an attempt to contact all residents that would be affected.

Jeff Smallwood, Parks at Prestwick, gave a brief history of this road that was constructed when Parks at Prestwick was developed and stated he supports the name change.

David Helm, developer of Parks at Prestwick, stated it would be better marketing of these homes if the address was Foxboro Drive.

Jenny Considine, Parks at Prestwick, stated it was difficult to give directions to your home when you used County Road 100S.

Commissioner Whicker called for the question and the motion was 1-1-0 with Commissioner Wathen voting aye and Commissioner Whicker voting nay. The name change was not approved.

Commissioner Palmer returned to the meeting.

IN THE MATTER OF ANIMAL CONTROL

Commissioner Whicker distributed the first draft resolution for establishing the Hendricks County Animal Control Advisory Group with the changes marked in red and also the revised resolution that was being considered this date. Commissioner Whicker explained the changes and the final revision as follows:

RESOLUTION No.: 10-05
ESTABLISHING THE HENDRICKS COUNTY ANIMAL CONTROL
ADVISORY GROUP

WHEREAS, the Board of Commissioners of Hendricks County Indiana is empowered to form advisory groups as it from time to time deems necessary; and

WHEREAS, Hendricks County, Indiana has an Animal Control Department and a Chief Animal Control Officer; and

WHEREAS, the Chief Animal Control Officer’s duties and responsibilities include the management of operations of the Animal Control Department as well as the day to day operation of the Hendricks County Animal Shelter; and

WHEREAS, the Board of Commissioners of Hendricks County is aware of the need for an animal control advisory group in Hendricks County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Hendricks County, as follows:

- 1. The Board of Commissioners of Hendricks County, Indiana does hereby form the Hendricks County Animal Control Advisory Group.*
- 2. The mission of the Hendricks County Animal Control Advisory Group is to act in an advisory capacity to the Hendricks County Commissioners for the continuing improvements in Animal Control and the Animal Shelter by making recommendations to the Commissioners regarding facility needs, equipment needs, operational /procedural issues and policies of the Animal Control and Animal Shelter.*
- 3. The Hendricks County Animal Control Advisory Group members shall serve for one (1) year and may be reappointed and shall serve at the will and pleasure of the Board of Commissioners.*
- 4. The Advisory Board shall consist of, but not be limited to:*
 - a. one (1) County Commissioner selected by the County Commissioners;*
 - b. one (1) County Council Member selected by the County Council;*
 - c. one (1) Veterinarian appointed by the Board of Commissioners;*
 - d. one (1) member of the Hendricks County Humane Society to be recommended by the Humane Society;*
 - e. one (1) member of the Friends of the Shelter to be recommended by the Friends of the Shelter;*
 - f. one (1) representative from the Hendricks County Sheriff’s Department to be selected by the Sheriff;*
 - g. one (1) citizen appointed by the Hendricks County Commissioners;*
 - h. one (1) Chief Animal Control Officer who shall serve as an ex-official member with no voting authority.*

5. *Organizations asked to have a representative on this Advisory Group must be a 501(C)(3) organization as defined by the Internal Revenue Service and approved by the County Commissioners.*
6. *The group is advisory only and does not have the authority to implement any recommendations it develops.*
7. *The Hendricks County Board of Commissioners will review and approve any recommended policy changes by the Animal Control Advisory Group prior to their implementation.*
8. *The Animal Control Advisory Group will elect a chairperson, vice chairperson and secretary to conduct meetings and set up the agenda with the assistance of the staff of the Hendricks County Animal Control Department.*
9. *Any Advisory Group member may introduce a topic for the agenda.*
10. *Minutes of each meeting shall be kept.*
11. *Organizations asked to have a representative on the Advisory Group may make a recommendation of such representative to the Commissioners. The Commissioners will either approve or deny the recommendation.*
12. *The Hendricks County Animal Control Advisory Group shall meet at least biannually. Additional meetings may be called by the Hendricks County Animal Control Advisory Group as deemed necessary. The date, time and location of the meetings are to be determined by the Hendricks County Animal Control Advisory Group.*
13. *According to IC 5-14-1.5-2 (a) (5), the Hendricks County Animal Control Advisory Group is subject to the open door law.*
14. *The Commissioners may repeal the establishment of the Advisory Group at their discretion.*

PASSED AND ENACTED THIS 6TH day of April, 2010.

HENDRICKS COUNTY BOARD OF COMMISSIONERS

(Signed) ***David Whicker, President***
Eric Wathen, Vice President
Phyllis A. Palmer, Member

ATTEST: Cinda Kattau, Auditor

There was discussion of the changes. Commissioner Palmer thanked Commissioner Whicker for his efforts on this resolution.

Bea Tate, Avon, expressed her appreciation for the time put forth on this resolution and stated she liked the changes including the open door policy this group would be required to follow.

Commissioner Palmer moved to adopt Resolution 10-05 Establishing the Hendricks County Animal Control Advisory Group, as presented. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

The Commissioners directed Mike Graham to send a letter to those organizations stated in the resolution asking for a recommendation. Mr. Graham is to ask for this recommendation to be provided by June 1, 2010. There was discussion of accepting applications for appointments. It was the consensus of the Commissioners for anyone wishing to be a member of this Animal Control Advisory Group as a Commissioner appointee to submit a letter.

IN THE MATTER CONVENTION AND VISITORS BUREAU

Emory Lencke, Executive Director Hendricks County Convention and Visitors Bureau, presented the 2009 Annual Report for Hendricks County Tourism Commission d/b/a Hendricks County Convention and Visitors Bureau and explained revenues had declined in 2009 for the first time in ten years. He also advised the revenues from January and February 2010 were up from 2009 and they were off to a better start in 2010.

IN THE MATTER OF TOURISM COMMISSION

Emory Lencke, Executive Director Hendricks County Convention and Visitors Bureau, stated Ms. Janet Hicks is no longer able to serve as a member of the Tourism Commission due to a career change and requested an appointment to fulfill her term through December 31, 2010. He recommended Mrs. Barbara Soots, manager of two hotels in

Plainfield, be appointed to fill this vacancy stating that she fulfilled the requirements. Mr. Lencke also stated Ms. Jill Aichinger is no longer able to serve due to a career change and recommended Lance Angle, General Manager Metropolis Mall, to fulfill the remainder of her two-year term through December 31, 2010. Commissioner Palmer moved. per the recommendation of Mr. Lencke, to appoint Barbara Soots and Lance Angle to serve on the Tourism Commission, effective immediately through December 31, 2010. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HIGHWAY WTH THINKMAP

Receipt was acknowledged of a request from Highway Superintendent Curt Higginbotham for renewal of the Annual Maintenance & License Agreement with WTH (ThinkMap) for GIS consulting and support in the amount of \$2,000. It was noted Attorney Greg Steuerwald had reviewed this agreement. Commissioner Palmer moved to approve the contract with WTH for annual support and consulting for the GIS ThinkMap in the amount of \$2,000. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MISCELLANEOUS PROJECTS

Mike Graham presented the Proposal for Miscellaneous Projects from Greg Guerrettaz, Financial Solutions Group (FSG), for professional services not to exceed \$25,000. Auditor Cinda Kattau explained this proposal. It was the consensus of the Commissioners to obtain more information on this matter and bring back to a future meeting.

IN THE MATTER OF COURTHOUSE

Receipt was acknowledged of a request from Sara Thompson, 311 Sassafras Drive, Danville, to use the Courthouse Rotunda for her wedding on Saturday, November 20, 2010. She stated they will have the reception at another location so will only need the Courthouse approximately 3 hours on Saturday for the wedding and maybe an hour on Friday, November 19, 2010 for the rehearsal. It was the consensus of the Commissioners to approve the request from Sara Thompson to use the Courthouse for her wedding rehearsal and wedding the weekend of November 19 and 20, 2010.

IN THE MATTER OF EQUITABLE SHARING AGREEMENT AND CERTIFICATION

Receipt was acknowledged of an affidavit for Equitable Sharing Agreement and Certification from Sheriff Dave Galloway for approval and execution. Commissioner Palmer moved to approve the Equitable Sharing Agreement and Certification for the Sheriff's Department, subject to review by the County Attorney, and authorize the President to sign on behalf of the Commissioners. Greg Steuerwald stated he had reviewed this agreement and talked with Megen Morgan, Jail Matron, on this agreement. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF DANVILLE TOWN HALL PROPERTY

Mike Graham presented a proposal from Andy Hine with Arc Design to provide a written assessment of the condition of the Old Danville Town Hall and stated it covers those items we need evaluated and Mr. Hine has been very generous to offer his services at a reduced rate of \$1,800. It was noted Attorney Greg Steuerwald had reviewed this proposal. Commissioner Palmer moved to approve the proposal with Arc Design in the amount of \$1,800 and authorize the President to sign on behalf of the Commissioners. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF FOREIGN TRADE ZONE

Mike Graham reported the Commissioners have been asked to support the inclusion of Hendricks County in the Greater Indianapolis Foreign Trade Zone and explained previous procedures required individual companies to seek individual approval to be included in the foreign trade zone and the process took about one year. He stated now the Greater Indianapolis Foreign Trade Zone has established a Central Indiana designation and any company wishing to use the foreign trade zone designation can obtain approval in 30 to 60 days. Mr. Graham reported on August 5, 2009, Cinda Kelley, Executive Director Hendricks County Economic Development Partnership, signed a letter supporting Hendricks County inclusion in the Central Indiana trade zone, however, we have found out the letter of support needs to be signed by the elected officials. He further advised that Boone, Hamilton, Marion, Morgan, Johnson and Putnam are examples of Central Indiana counties that have signed letters of support. Mr. Graham presented a draft letter of support to the Greater Indianapolis Foreign Trade Zone INzone. Commissioner Palmer moved to approve and sign the letter to the Greater Indianapolis Foreign Trade Zone, as presented. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF INSURANCE AUDIT

Mike Graham reported the Commissioners previously received an email copy of a proposal from the Insurance Audit Co. to do an evaluation of the County's property and casualty insurance policies and stated that in addition to the proposal from Insurance Audit we will be receiving a proposal from Donald Brown with H.J. Spier Co. He stated the primary difference between these two companies is Insurance Audit provides exclusive consultant services and H.J. Spier Co. provides consultant services and sells insurance. Mr. Graham stated Commissioner Palmer, Council President Hesson and he will meet with a representative of Insurance Audit this week. There was discussion of this audit and these two firms. It was the consensus of the Commissioners for Mike Graham to pursue this evaluation of the County's property and casualty insurance with Insurance Audit.

IN THE MATTER OF MONTE SHAMBAUGH

John Ayers expressed his sincere sympathy in the loss of Monte Shambaugh, an employee in the Hendricks County Engineering Department, passed away last week due to a heart attack, and stated he would be greatly missed in his department.

IN THE MATTER OF DONNELLY HEIGHTS

John Ayers reported they are waiting on the DNR permit to install the new pipe in Donnelly Heights.

IN THE MATTER OF NORTHFIELD DRIVE, BROWNSBURG

John Ayers stated the County had some input and comment on the bridge being constructed on Northfield Drive in Brownsburg and they are working with the Town of Brownsburg on this bridge project.

IN THE MATTER OF FAIRGROUNDS

John Ayers reported he met last week with members of the Hendricks County Antique Tractor and Machinery Association to discuss moving an old barn to the Hendricks County Fairgrounds and Conference Complex and locate the barn in the Pioneer Village at the fairgrounds. He explained some concerns regarding moving this barn from private property to the fairgrounds and stated they are working together on this project.

IN THE MATTER OF GIS

John Ayers announced Manatron has been given notice that the County is changing GIS providers. Schneider will

be the new provider. He stated the new County GIS Website is operational and explained it is in Schneider’s contract to publicize the change

IN THE MATTER OF BRIDGE INSPECTIONS

John Ayers reported they received nine proposals for the 2010/2012 bridge inspections and presented a list of the top three consultants in no particular order, as follows:

Stephen J. Christian and Associates United Consulting USI Consultants

Mr. Ayers requested to scheduled interviews with these three firms. Commissioner Wathen requested for all three Commissioners to participate in the interviews and suggested they schedule the three interviews for Monday, April 12, 2010 beginning at 8:00 AM. It was the consensus of the Commissioners for John Ayers to work to schedule the three consultants for bridge inspection interviews as stated.

IN THE MATTER OF ENERGY CONSERVATION

John Ayers advised they had reviewed three proposals for the ARRA Energy Conservation Grant from the following:

Ameresco Corporation Trane Corporation Energy Solutions

He stated based on the review by his staff, they recommend proceeding with contract negotiations with Energy Solutions and stated the Commissioners could also choose to review the proposals prior to making a decision. Mr. Ayers explained the fees for these consultants will come from the grant. Commissioner Palmer moved to approve the recommendation from the Engineering Department to begin negotiations with Energy Solutions and bring a contract to a future meeting. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RESTROOMS

John Ayers explained the automatic flushers had been installed in all restrooms in the Courthouse and the Government Center. He stated the ones in the Government Center would be funded from the bond and the ones in the Courthouse would be funded from cume cap.

IN THE MATTER OF CR 650E IN GUILFORD TOWNSHIP

Commissioner Palmer advised she had a concern about CR 650E in Guilford Township, north of CR 750S, and requested John Ayers to check on the condition of this road.

IN THE MATTER OF ROCKIES EXPRESS PIPELINE - ROAD DAMAGE

Commissioner Whicker inquired the status of repair of County roads damaged during the installation of the Rockies Express Pipeline through southern Hendricks County. John Ayers replied that he had received no response from them since he met with representatives to discuss the road repairs.

IN THE MATTER OF TAX SALE – SRI ADDENDUM

Auditor Cinda Kattau presented the SRI Incorporated Addendum Tax Sale Support Services for the Tax Sale Services and Work Plan for the annual County tax sale to be held next fall. She noted there was a \$5 per parcel fee increase and the price per parcel relates to the parcels that redeem or sell and are paid after certification and will not result in any budget increase or appropriation by Hendricks County. Ms. Kattau stated they plan to hold the tax sale on Wednesday, September 15, 2010. Commissioner Palmer moved to approve the SRI Addendum Tax Sale Support Services and authorize the President to sign on behalf of the Commissioners. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PROPERTY TAXES

Auditor Cinda Kattau reported the Hendricks County property taxes payable in 2010 are on the County web page for review.

IN THE MATTER OF CLERK'S OFFICE

Receipt was acknowledged of a phone call from Clerk Cindy Spence stating she plans to attend the Clerk's Conference and would like to take two members of her staff with her. She explained part of the conference relates to the Clerk's duties and a part relates to the election, therefore, she is requesting to take one staff member from the Clerk's office and one from Voter Registration. She explained the conference is in Indianapolis, however, they would like to stay overnight as there are some late dinner meetings. Ms. Spence requested the Commissioner's approval for three employees of the Clerk's office to attend this conference and to stay two nights in Indianapolis as this would be funded from the Commissioners' budget. There was discussion the County policy is not approve paying for overnight accommodations within 50 miles. Commissioner Palmer made a motion that based on the County policy to not pay for overnight accommodations within 50 miles to deny this request to pay for hotel rooms in Indianapolis from the Commissioners' budget. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:

1. IDEM Office of Water Quality, Facility Construction and Engineering Support Section, Decision of Approval, Permit Application, Plans and Specifications for Sanitary Sewer, Woodcreek Crossing, Avon, IN
2. IDEM Office of Air Quality, Permits Branch, Notice of Decision: Approval-Effective Immediately, ADESA.
3. Indiana Courthouse Preservation Advisory Commission, County Courthouse Questionnaire.
4. Certificate of Liability Insurance for Crown Castle International Corp. from Willis of Pennsylvania, Inc.
5. Request for meeting with commissioners from Lola Matterna, Patience Assistance.com, regarding a free discount prescription card for county employees.

Action needed/taken on the following:

1. Checks received and signed to the county:
 - a. Konica Minolta Business Solutions U.S.A., Inc. \$225.12 Credit Balance Refund
2. Whicker signed vehicle titles for the following: None
3. Documents needing action: None

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the March 15, 2010 Weights and Measures Monthly Report from Charles Colbert, Inspector.

IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for March 15 to March 26, 2010 from James McBryant, Cypress Manor Administrator.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the March 22 – April 2, 2010 Human Resources report from Ron Love, Human Resources Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for March 20 to March 26, 2010 from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF JOINT MEETING

Commissioner Whicker announced the joint meeting of the Commissioners and Council that was scheduled for 3:00 PM on Thursday, April 8, 2010 had been cancelled.

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 11:10 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

