

April 27, 2010

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, April 27, 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
Todd McCormack		Hendricks County Adult Probation Director
Don Reitz		Hendricks County Planning Director
Judith Wyeth		Secretary to the Commissioners

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Commissioner Whicker opened the meeting and led the Pledge to the Flag in unison.

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IN THE MATTER OF MINUTES

Commissioner Wathen moved to approve the minutes of the April 20, 2010 meeting, as corrected.

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

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Commissioner Wathen left the meeting at 9:33 AM.

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IN THE MATTER OF B&O WALK / RUN

Joshua Brewster, Vice President Rails to Trails, requested approval to close certain County roads for their second annual B&O Express 5/10 K Walk & Run to be held on Saturday, September 11, 2010 and stated the course is the same as 2009. He stated he had talked with the Sheriff’s Department and received their approval to assist with this event and he will go before the Avon Town Council for their approval to close specified streets in the Town of Avon. Commissioner Palmer clarified officers from both the Hendricks County Sheriff’s Department and from the Avon Town Police Department would be on hand to supervise this event. Mr. Brewster presented the following proposed road closures and time:

- Ronald Reagan Parkway**
- *Both directions between 100N and 300N*
  - *8-10am*
  - *Northbound vehicles detoured to Raceway or Griswold*
  - **300 North**
  - *East-bound between Griswold and Raceway*
  - *8-9:15am*
  - *Vehicles detoured to US 136 or 100N*

- Raceway Road**
- *South bound between US 136 and B&O Corridor*
  - *8:15-9:15am*
  - *Vehicles detoured to Tansel Road*

- 200 North**
- *Both directions between Griswold and Raceway*
  - *8-9:45am*
  - *Vehicles detoured to 100N*

- Shiloh Road (1050E)**
- *Both directions between 200N and 100N (LOCAL TRAFFIC ONLY)*
  - *8:30-10am*
  - *Vehicles detoured to Raceway*

Commissioner Palmer moved to approve closure of the roads in the County, as stated, for the B&O 5/10 K Walk & Run on Saturday, September 11, 2010. Commissioner Whicker seconded the motion and the motion was

approved unanimously 2-0-0.

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Commissioner Wathen returned to the meeting at 9:37 AM.

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IN THE MATTER OF COMMUNITY CORRECTIONS

Todd McCormack presented a grant application that he has put together for the Community Corrections Grant and stated the Community Corrections Advisory Board has reviewed and approved this application. He stated the grant is for at least \$475,000.00 and the funds will be used to help fund the operation of the Work Release Center. Mr. McCormack explained how the grant could be used and stated the Department of Corrections will provide the contract for execution. Commissioner Palmer moved to approve the Community Corrections grant application in the amount of \$475,000, as presented. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Todd McCormack gave a brief update on the Work Release Center and stated they currently have a total of 60 residents.

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IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve Claims #095969 thru 096088 and Direct Deposit #058170 thru 058567, as submitted. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF EXIT 59

Commissioner Whicker stated they are moving a lot of dirt at Exit 59 for the proposed J&J project. John Ayers reported SR 39 at Exit 59 was to have been opened this week, however, INDOT has had a delay and they now plan to open SR 39 on May 3, 2010.

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IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers stated they are moving dirt for the bridge on Ronald Reagan Parkway over the CSX tracks. He also stated they will have a progress meeting with the contractor for this project on Thursday, April 29, 2010. John Ayers presented an amendment to the contract with Beam, Longest and Neff for the environmental study of the Ronald Reagan Parkway north to Boone County. He explained this amendment is to cover the additional work to resolve the issue of two historical properties in the right-of-way in the amount of \$8,400, which will be split with Hendricks County paying 60% and Boone County paying 40%. Mr. Ayers stated Beam, Longest and Neff will take this amendment to the Boone County Commissioners this week for their approval. Commissioner Wathen moved, subject to approval of the Boone County Commissioners for 40% of the \$8,400 for the Beam, Longest and Neff amendment for environmental study, that we pay 60% of this additional fee and authorizes the President to sign the amendment on behalf of the Commissioners. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF MABEL LEINWEBER

Mabel Leineweber, 5757 W CR 800S, Mooresville, came in to request verification if anyone lived in the mobile homes in her area and requested clarification of the conditions of the Special Exception approval that was granted to this mobile home by the Plan Commission three years ago. Don Reitz explained the Special Exceptions and stated they are all approved with conditions, however, he would have to check on the conditions of this particular

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Special Exception. It was the consensus of the Commissioners for Don Reitz to follow up on this request.

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IN THE MATTER OF HENDRICKS COLLEGE NETWORK

Gary Emsweller, Washington Street, Danville, commended the Commissioners and Council for their support of the Hendricks College Network to offer Hendricks County citizens a secondary education with accredited classes. He reported that Ivy Tech will soon open a facility in a vacant building in Avon to hold their classes making a full time college program available to the citizens of Hendricks County. He thanked them for making this program possible.

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IN THE MATTER OF WALKING TRAIL IN RIDGEHILL

Commissioner Whicker noted Ronnie Austin, Washington Township Trustee, was not in attendance for the walking trail in Ridgehill and requested this item be removed from the agenda until further contact from Mr. Austin. It was the consensus of the Commissioners to remove the request for a walking trail in Ridgehill from the agenda until further contact.

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IN THE MATTER OF VENDING MACHINES

Commissioner Whicker stated we have not received the proposed vending contract from Mast Vending for the Court House and Government Center, therefore, the vending issue would be continued to the Wednesday, May 5, 2010 meeting.

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IN THE MATTER OF POLICE MEMORIAL DAY

Receipt was acknowledged of a request from Capt. Megen Morgan, Hendricks County Sheriff Department, requesting a proclamation declaring May 9 thru May 15, 2010 as National Police Week and for May 14, 2010 to be recognized as Police Memorial Day. Commissioner Palmer read the following proclamation:

**PROCLAMATION DECLARING**

**MAY 9 THRU MAY 15, 2010, NATIONAL POLICE WEEK  
AND  
MAY 14, 2010, POLICE MEMORIAL DAY**

*WHEREAS, the Congress of the United States of America has designated the week of May 9, 2010 to be dedicated as “National Police Week” and May 14, 2010, to be designated “Police Memorial Day”, and*

*WHEREAS, the law enforcement officers are our guardian of life and property, defenders of individual rights, warriors in the war against crime and dedicated to the preservation of life, liberty and the pursuit of happiness, and*

*WHEREAS, the County of Hendricks desires to honor the valor service and dedication of its own police officers, and*

*WHEREAS, it is known that every two days an American Police Officer will be killed in the line of duty somewhere in the United States and 136 officers will be seriously assaulted in the performance of their duties, our community joins with other cities and towns to honor all peace officers everywhere, and*

*We therefore proclaim the week of May 9 to May 15, 2010, to be Police Week and call upon all citizens in this community to especially honor and show our sincere appreciation for the police officers of this county who serve and protect our loved ones, property and government against all who would violate the law.*

*Signed, this 27<sup>th</sup> day of April, 2010 at the County of Hendricks, State of Indiana in the witness thereof the seal of Hendricks County and the signatures of the Hendricks County Board of*

*Commissioners are affixed.*

*(SEAL)*

*(Signed)*

*David A. Whicker, President*

*Eric L. Wathen, Vice President*

*Phyllis A. Palmer, Member*

Commissioner Palmer moved to approve May 9 thru May 15, 2010 as National Police Week and May 14, 2010 as Police Memorial Day, as requested, and sign the proclamation. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whicker read a request from Capt. Megan Morgan for use of the Court House Rotunda to conduct their Police Memorial Service at noon on Friday, May 14, 2010, as they have in previous years.

Commissioner Palmer moved to approve the use of the Court House Rotunda at noon on Friday, May 14, 2010 for the Policy Memorial Program. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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#### IN THE MATTER OF PARKING LOT

Mike Graham explained the Town of Danville has purchased the property west of the County's Broadway Street and Washington Street parking lot, south of the museum, and Danville is planning to build a parking lot on the property. He stated the preliminary plan has the proposed lot connecting to the County lot and stated the advantage of connecting to the County's lot is it will reduce a curb cut and increase the number of spaces by eliminating another entrance drive. Mr. Graham also stated if the proposed Danville lot is connected to the County lot there would be two parking spaces lost in the County lot and stressed there are a number of issues that need to be addressed. There was discussion of several issues of concern for the parking lots. It was the consensus of the Commissioners for staff to meet with representatives from Danville to resolve several issues relative to the parking lots.

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#### IN THE MATTER OF COUNTY PROPERTY

Mike Graham announced he had received a legal description from Hendricks Regional Health describing 3.29 acres of Hendricks County property south of the Conservation Club dam and stated Hendricks Regional Health is planning to sell 4 acres of land to Sycamore Services for \$55,000/acre totaling \$220,000. He stated our initial offer to Hendricks Regional Health was to sell them 2.84 acres for \$220,000, however, Hendricks Regional Health has increased the size to 3.29 acres to make the purchase closer to the amount of land they are selling Sycamore Services. John Ayers presented a map showing the property under consideration. Mr. Graham explained our concept is Hendricks Regional sells land to Sycamore Services and then uses the proceeds to buy land from Hendricks County and then the County use the revenue to repair the dam. He stated we need to determine how the proposed 3.29 acres impacts the balance of land owned by Hendricks County. Also, he stated he talked to Pat Cockrum with Sycamore Services about their interest in the 4 acre parcel owned by Hendricks Regional Health and he said they are still interested, but face greater financial challenges now than they did 13 months ago when this proposal was first discussed. He further advised that Mr. Cochrum is going to ask the Sycamore Services Board at their next meeting on April 27, 2010 if they still want to purchase the property. Commissioner Wathen

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asked the Engineering firms in attendance if there were grants available to repair the dam. There was discussion of possibly obtaining a grant for the dam. It was the consensus of the Commissioners to proceed with discussions with Hendricks Regional Health and Sycamore Services for this property exchange.

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#### IN THE MATTER OF OLD DANVILLE TOWN HALL

Mike Graham reported the Old Danville Town Hall walk through is set for Friday, May 7, 2010 at 8:30 a.m. He stated the County staff and Danville staff will be participating along with Andy Hine, Arc Design, and the individuals he has selected to help him.

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#### IN THE MATTER OF ANIMAL CONTROL

Mike Graham acknowledged receipt of a letter from Wendy Smith, President Hendricks County Humane Society, advising the Humane Society has recommended Mrs. Merrily Niles as their representative for the Animal Control Advisory Group. There was discussion of the appointment process for the Advisory Group. Mr. Graham stated he had received several letters for consideration of the Commissioners' appointments to the Animal Control Advisory Group. It was the consensus of the Commissioners for Mike Graham to provide a list of names for consideration of appointment.

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#### IN THE MATTER OF WORK RELEASE CENTER

Receipt was acknowledged of a phone call from Bridgette Collins, Work Release Center Director, advising that their increase in the number of residents is resulting in having considerable more garbage and also a lot of items that she thinks can be recycled. It was noted Ray's Trash has been contacted and they suggested that instead of providing a second dumpster for trash they would pick it up twice a week for a cost of \$58 rather than the current \$28.50 once weekly pick up and would be cheaper than two dumpsters on site. Ray's also advised they can provide a recycle bin that will hold all recycle items including newspapers, plastic, cardboard and aluminum cans with a weekly pickup for \$45 monthly. This would make the cost \$696 per year without recycling and \$1,236 with recycling. Commissioner Wathen moved to have the trash picked up twice a week at the Work Release Center and a recycle bin and to request the Hendricks County Solid Waste to fund the recycle bin charges at the Work Release Center from their Special Projects Fund. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

It was the consensus of the Commissioners to send a letter to the Hendricks County Solid Waste making the request that they fund the recycling from the Special Projects Fund.

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#### IN THE MATTER OF INFANT CAR SEATS

It was noted that when the County wellness and managed care service was with Individual Care Management (ICM) it was the policy to allow new mothers who had completed the pre-natal care program up to \$75 to purchase infant car seats. We now have wellness and managed care service with Core Care and they require expectant mothers to attend pre-natal care in order to have coverage, however, most employees were not aware of this change. Receipt was acknowledged of a receipt from an employee for a car seat that she was told the \$75 was available for her. It was also noted that this individual and her husband both work for the County courts and are both on individual employee insurance and are requesting if they can each have a seat for each employee health

insurance policy – one for infant and one for toddler that they will later use. It was further noted a check with Human Resources indicated that no notice has been sent informing employees of this change in policy. Commissioner Wathen moved to allow only one \$75 reimbursement per child. The motion died for lack of a second. Commissioner Palmer moved to give \$75 toward the purchase of one car seat for the child of this individual. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Wathen moved to cancel the program allowing \$75 toward the purchase of a car seat for employees on the County health insurance. Commissioner Palmer seconded the motion. There was discussion of the policy. Commissioner Wathen withdrew his motion. Commissioner Palmer withdrew her second. Commissioner Wathen moved to discontinue the policy to provide \$75 toward the purchase of infant car seats for employees on the County insurance and take this action to the next Insurance Committee meeting. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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#### IN THE MATTER OF EMPLOYEE HEALTH INSURANCE

There was discussion of spouses both employed by the County being on separate employee County health insurance policies. It was the consensus of the Commissioners to take this matter of two employees, husband and wife, being on separate insurance policies to the next meeting of the Insurance Committee. Cinda Kattau stated the next Insurance Committee meeting would be Thursday, May 13, 2010.

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#### IN THE MATTER OF COUNTY ROADS

John Ayers presented an updated list of County roads they planned to repair with hot mix, County roads they plan to repair with chip and seal and several subdivision streets they planned to repair during the upcoming summer months.

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#### IN THE MATTER OF BRIDGE NO. 235

John Ayers presented an agreement from CrossRoads Engineering for consulting services on Bridge No. 235, located on Stafford Road. There was discussion of this consulting service. Commissioner Palmer moved to table this agreement until Commissioner Wathen has reviewed the proposal. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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#### IN THE MATTER OF SR 267

John Ayers stated he will meet with representatives from INDOT on April 28, 2010 to discuss relinquishing a portion of SR 267 in Hendricks County.

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#### IN THE MATTER OF B&O TRAIL

John Ayers reported during the B&O pre-construction meeting for the B&O Trail the members of the B&O Trail Rails to Trails requested a ground breaking ceremony and asked the Commissioners for a date. It was the consensus of the Commissioners to hold a ground breaking ceremony for the B&O Trail on Tuesday, May 11, 2010 at 2:00 PM.

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#### IN THE MATTER OF PRESTWICK GOLF CART CROSSINGS

John Ayers stated he had received concerns from citizens for the golf carts crossing over County roads in Prestwick and they have requested signs be placed on the County roads where the golf carts cross. He reported they would need an ordinance before signs could be placed. He will check on other ordinances and bring back for

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further consideration.

IN THE MATTER OF BRIDGE INSPECTIONS

John Ayers advised they have submitted the County’s selection of United Consulting for 2010-2012 bridge inspections to INDOT and are awaiting their approval.

IN THE MATTER OF DANVILLE WATER QUALITY

John Ayers reported there have been concerns expressed by many employees on the quality of the Danville water which has recently been greatly discolored. He stated he will obtain quotes for filters and water softeners and bring back for further consideration of resolving this water problem.

IN THE MATTER OF FRAUD TELEPHONE CALLS

John Ayers advised he had met with representatives of AT&T and Paul Johnson, Paul Johnson Associates, relative to several fraud calls charged to the County telephone bill. He stated it was agreed that AT&T will credit the County for one-half of the charges and Paul Johnson will personally pay for the other half and this issue has now been resolved at no cost to the County. Mr. Ayers stated that the County and AT&T have now blocked operator assisted calls being made from County phones.

IN THE MATTER OF GIS

Auditor Cinda Kattau reported several elected officials have complained as their personal information now appears on the GIS and it was previously blocked. John Ayers stated he will follow up on this complaint.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:       None

**Action needed/taken on the following:**

- 1. Checks received and signed to the county:
  - a. Governmental Insurance Exchange \$2,694.37       Vehicle Damage
  - b. Governmental Insurance Exchange \$671.94       Vehicle Damage
  - c. Governmental Insurance Exchange \$1,016.40       Vehicle Damage
- 2. Whicker signed vehicle titles for the following: None
- 3. Documents needing action:
  - a. Whicker signed 6 “Indiana Certificate of Vehicle Registration”.

IN THE MATTER OF VETERANS AFFAIRS

Receipt was acknowledged of the City & County VSO’s Monthly Report for April, 2010 from Lori Turpin, Veterans Affairs Officer.

IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for April 12 to April 23, 2010 from James McBryant, Cypress Manor Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the April 19 to April 23, 2010 Human Resources report from Ron Love, Human Resources Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for April 10 to April 16, 2010 and for April 17 to

April 23, 2010 from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF TORT CLAIM

Receipt was acknowledged of a Notice of Tort Claim from David K. Margerum, Attorney at Law, on behalf of Mary Elbert for incident of October 21, 2009 at the Hendricks County Jail. It was noted this tort claim was forwarded from Attorney Greg Steuerwald and that he has sent the original to Rich Jensen.

IN THE MATTER OF MEETING DATE

Commissioner Whicker announced that next week the Commissioners’ and Regional Sewer Board meetings will be on Wednesday, May 5, 2010 as all County offices will be closed on Tuesday, May 4, 2010 for the primary election.

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

