

May 18, 2010

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, May 18, 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
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 May 11, 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 as presented. Commissioner Whicker noted there were no claims. The motion failed for lack of a second.

IN THE MATTER OF EXIT 59

Commissioner Whicker gave a brief update on activities at Exit 59 stating the concrete batching plant at Johnson & Jonson Sales and Logistics Company is in place and the water pipe to service the area appears to have been installed by Veolia Water..

Commissioner Wathen stated he has been working with a possible new project for Exit 59.

Mike Graham reported Cinda Kelley, Executive Director Economic Development Partnership, has set a meeting for Friday May 21, 2010 with Lauth representatives. He stated the meeting may primarily be about the lack of incentives that can be provided to a company that considers locating at Lauth’s Westpoint Business Park. Mr. Graham explained he anticipates they may want to reevaluate the TIF allocation established in the original Memorandum of Understanding (MOU).

Commissioner Whicker referenced the Financial Solutions Group (FSG) report from Greg Guerrettaz for the 70 West Commerce Park Tax Increment Revenue Bonds that the Commissioners approved on May 11, 2010 for the 90/10 participation. He announced this document was also approved by the Economic Development Commission at their May 12, 2010 meeting and will be presented to the Redevelopment Commission at their June 2, 2010 meeting.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers stated they are moving dirt for the construction of the bridge on the Ronald Reagan Parkway over the CSX tracks. He also stated they are getting approvals on the bridge work.

John Ayers presented the Town Council of Avon, Indiana, Resolution 2010-11, Authorizing Commitment of Tax Increment Finance Funds for the Ronald Reagan Parkway Section from CR 100 South to CR 200 South, and explained the Town of Avon has budgeted \$2,100,000 in the TIF Fund to assist with the construction cost of this section of the Parkway, and the County can amend their funding application to the MPO to reflect a

larger local match, which would improve the chances of approval. This resolution states the Redevelopment Commission has recommended that the Town commit to paying for 30% of the construction costs with a maximum contribution to \$2.24 million from the TIF Fund after the County had expensed \$1.48 million of the construction cost. There was discussion if an agreement was needed between the County and the Town of Avon. It was the consensus of the Commissioners that they are in concurrence with the Town of Avon commitment and to make modifications to the funding application for this section of the Ronald Reagan Parkway.

IN THE MATTER OF HENDRICKS COUNTY PARKS BRIDGE CELEBRATION

Jeff Banning, Plainfield, invited everyone to attend the Hendricks County Parks Bridge Celebration and 50's Boogaloo at McCloud Park the evening of May 21, 2010. He explained the evening event is a fundraiser for the park with a Bar-B-Q picnic dinner with 50's music and stated he had tickets available for sale to this event. He also stated the ribbon cutting ceremony for the historic iron bridge and the north side of the park will be at McCloud Park at noon on Friday, May 21, 2010.

IN THE MATTER OF CIRT

Mike Graham reported the scheduling of the CIRT (Central Indiana Regional Transit Alliance) meeting is a challenge. He explained he has given Ehren Bingaman with CIRT the alternative dates of July 20, 27 or August 17, 2010 and that originally, he had asked the Commissioners to authorize the meeting with CIRT because of policy concern for the Hendricks County representatives who serve on the MPO's (Metropolitan Planning Organization) policy and technical boards. Mr. Graham further stated that because Hendricks County Commissioners & Council do not have a policy on the regional public transit proposal and it is extremely difficult for the Hendricks County MPO representatives to understand how they should vote at the various meetings on public transit. He hoped that by beginning a discussion about public transit we could develop a policy. He further stated that if there is no interest in developing a policy on public transit then he will not set a meeting with CIRT. There was discussion of meeting with representatives of CIRT. It was the consensus of the Commissioners for Mike Graham to set up a meeting with CIRT.

IN THE MATTER OF PARKING LOTS

Mike Graham reported that John Ayres, Kevin Cavanaugh and he met with Gary Eakin, Danville Town Manager, to discuss connecting Danville's proposed parking lot to the County's existing lot at the corner of Broadway & Washington Streets. Mr. Eakin stated Danville did not intend to restrict the length of time for parking at the new lot and this would allow County employees to use this lot. Mr. Graham advised that Mr. Eakin is going to draft a proposed agreement between Danville and Hendricks County and stated he had been advised it will take 3 to 4 weeks before we see a draft.

IN THE MATTER OF GIS GRANT

Mike Graham reported we received a \$15,000 Homeland Security grant that was to allow us to enhance our GIS and in turn the State could use our GIS. He explained we intended to use this grant to convert from Plexis to Schneider's Beacon GIS, however, unfortunately, Schneider had done most of the conversion

prior to the grant being approved and this made the work ineligible for the grant money. He further stated that both Schneider and he should have realized this restriction. Mr. Graham explained after the conversion, Schneider gave the State access to our GIS and based upon our inability to use the grant money he told Schneider to disconnect the State’s access. He further stated the State determined they had some flexibility and they now have authorized the grant money if we agreed to give them back the GIS access. Mr. Graham commented he did not think it was fair for the State to have access without us having the grant.

IN THE MATTER OF BUDGET CUTS

Auditor Cinda Kattau referenced a recent email she had sent stating the Commissioners need to cut \$55,919 from their 2010 budget. She explained the Council must reduce the budget for 2010 and are requesting that all departments must reduce their budgets and send a written and signed report showing the line item and amount reduced to her by Friday, May 21, 2010. There was discussion the Equipment and Machinery Line has a balance at this time. Commissioner Wathen moved to cut the Equipment and Machine line 100-44000-000-135, in the Commissioners’ 2010 budget \$55,919, to meet the budget reduction as requested by the Council. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Cinda Kattau explained she needs to schedule the department head meetings with Greg Guerrettaz, Financial Solutions Group, to discuss the 2011 budget on June 7 and June 8, 2010 and asked the Commissioners to consider Monday, June 7, 2010 to meet with Greg Guerrettaz, Auditor Cinda Kattau, County Engineer John Ayers and a Council representative. It was the consensus of the Commissioners to meet at 8 AM on Monday, June 7, 2010 to discuss the 2011 budget.

IN THE MATTER OF ECONOMIC DEVELOPMENT COMMISSION - APPOINTMENT

Commissioner Whicker acknowledged that Rich Carlucci hand delivered a letter from Robin Brandgard, President Plainfield Town Council, appointing Town Manager Rich Carlucci as the Plainfield appointee to the Hendricks County Economic Development Commission, for a one year term, replacing Stan Bassett. He stated that Hursel Disney and Treasurer Nancy Marsh also serve on this commission.

IN THE MATTER OF HIGHWAY

Commissioner Whicker acknowledged receipt of a copy of the Downey Insurance May 7, 2010 report to Curt Higginbotham stating during their routine on-site inspections that safety practices were being followed by the Hendricks County Highway Crew. Receipt was acknowledged of the weekly Highway report for May 8 to May 14, 2010 from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF SR 267

John Ayers presented a draft letter to Alan Plunkett, District Deputy Commissioner Crawfordsville District Indiana Department of Transportation, in response to the discussions Mr. Plunkett had with Hendricks County and the Towns of Avon, Plainfield and Brownsburg regarding relinquishment of a segment of SR 267. There was discussion of the content of the letter relative to the Town of Avon, Town of Brownsburg, Town of Plainfield, Hendricks County and the maintenance amount and that a statement should be added stating that the

towns are in agreement with this letter. It was the consensus of the Commissioners that this letter is acceptable to send to INDOT with the addition of a statement that the towns of Avon, Brownsburg and Plainfield are in agreement with these conditions and that the letter be signed by County Engineer John Ayers

IN THE MATTER OF SECURITY PLAN

John Ayers reported they are working on the security plan for the Court House and that they are waiting on some revised pricing on some of the equipment. He stated he plans to bring this back when the revisions are complete.

IN THE MATTER OF DONNELLY DRIVE

John Ayers stated they have received all the necessary permits for installing the pipe in Donnelly Drive to resolve drainage issues. He explained they had planned to do this installation with the Highway crew, however, they are busy at this time and he requested quotes for this work in order to have it completed in a timely manner: He reported receipt of the following quotes:

George R. Harvey and Son	\$24,950
H. E. Henderson	\$19,300
Valenti Held	\$23,375

Mr. Ayers stated H. E. Henderson was the lowest of the three quotes received in the amount of \$19,300.

Commissioner Palmer moved to hire Henderson for the work on Donnelly Drive in the amount of \$19,300, as recommended by the County Engineer. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers requested clarification from County Attorney Greg Steuerwald in the quote process if they need a contract or signed agreement. Mr. Steuerwald responded they need a written document from the vendor and it should be signed by the Commissioners. Mr. Ayers stated he will obtain the written document and bring it to a meeting for execution by the Commissioners.

IN THE MATTER OF COUNTY ROADS

John Ayers explained the process to repair the County roads and stated Milestone would like to pave the northern part of the County soon as they will be using supplies from their Lebanon plant and they have a large INDOT project coming up later this summer. He stated they have hired a contractor to pulverize Maloney Road next week so it can be paved soon.

John Ayers stated County Highway Superintendent Curt Higginbotham and he plan to attend a demonstration in Putnam County of a new option for road resurfacing on Wednesday, May 19, 2010.

IN THE MATTER OF BROYLES ROAD – SPEED LIMIT

John Ayers stated he had received a request to post a speed limit of 35 mph on Broyles Road from CR 550E to CR 575E in order to make this portion of Broyles Road consistent with the surrounding roads. He presented a draft ordinance and requested to advertise this proposed speed limit for a public hearing on June 15, 2010. It was the consensus of the Commissioners to advertise the ordinance for a speed limit on Broyles Road for a public hearing on June 15, 2010 at 9:30 AM in the Commissioners’ meeting room.

IN THE MATTER OF ENGINEERING BUDGET

John Ayers reported he is waiting to see the amount of the budget cuts for cum bridge and cum cap and

briefly explained the proposed engineering department cuts in their 2010 budget.

IN THE MATTER OF 2011 HOLIDAY CALENDAR

Receipt was acknowledged of a request from the Courts for the 2011 holiday calendar in order for them to schedule cases in 2011. A draft 2011 calendar was presented for consideration. There was discussion of primary town election day and general town election day. The Commissioners requested Attorney Greg Steuerwald to review the State code as it pertains to town elections. Commissioner Palmer moved to table the draft 2011 calendar until counsel has reviewed the code for the town election requirements. Commissioner Wathen 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 Land Quality, Solid Waste Permits Section, Insignificant Modification Proposal, Twin Bridges Recycling and Disposal Facility, Danville, IN.
2. Cummins Behavioral Health Systems, Inc., Board of Directors Annual Board-Staff Planning Retreat, May 21-22, 2010, Brown County Inn, Nashville, IN

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: None
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IN THE MATTER OF TOWN OF AVON TAX ABATEMENT

Receipt was acknowledged of The Town of Avon Notice of Public Hearing for May 27, 2010 on a Request for Tax Abatement and Adoption of Declaratory Resolution No. 2010-05 for the Town of Avon for a tax abatement for property located on Reagan Park on the north side of CR 100N, west of the Ronald Reagan Parkway. It was noted that a copy of the resolution has been forwarded to Auditor Cinda Kattau.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the weekly Human Resources report for May 10 to May 14, 2010 from Ron Love, Human Resources Director.

IN THE MATTER OF TORT CLAIM - KEMPT

Receipt was acknowledged of a Tort Claim from Brian Kempf and Leslie Kempf on behalf of Brian Kempf and Leslie Kempt, individually and as parents and natural guardians of Benjamin Kempt, deceased, for incident of November 16, 2009 when their son was killed as a result of an individual striking the rear of his moped at the intersection of CR 600S and CR 675E. It was noted the original has been hand delivered to Rich Jensen and a copy faxed to Greg Steuerwald. Receipt was also acknowledged of a letter from Greg Steuerwald acknowledging his receipt of a Tort Claim from Brian Kempf and Leslie Kempf on behalf of Brian Kempf and Leslie Kempt, individually and as parents and natural guardians of Benjamin Kempt, deceased, and advising that he has forwarded his original notice and envelope to Rich Jensen.

IN THE MATTER OF APPEARANCE BY ATTORNEYS

Receipt was acknowledged of an Appearance by Attorneys in a Civil Case from Baker & Daniels on behalf

of The Huntington National Bank relative to a hotel in Plainfield. It was noted the original has been given to Greg Steuerwald for his review.

IN THE MATTER OF COMMUNICATIONS CENTER

Auditor Cinda Kattau announced the Town of Plainfield is in receipt of excess funds from the emergency fees from phones and the wireless phones in the amount of \$1.5 million and that they will turn this amount over to the Hendricks County Communications Center.

IN THE MATTER OF POLICE MEMORIAL

Commissioner Palmer commented the Police Memorial held at the Court House on Friday, May 14, 2010 was a very solemn and respectful service.

IN THE MATTER OF WORK FORCE

Commissioner Palmer announced she had met with representatives of the Workforce Development and stated they are planning to locate a Work Center in Hendricks County.

IN THE MATTER OF EMERGENCY MANAGEMENT COUNCIL

Commissioner Wathen reported he had attended the meeting of the Emergency Management Council and they are looking for grant opportunities.

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 10:35 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

