

June 15, 2010

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, June 15, 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 Palmer moved to approve the minutes of the June 8, 2010 meeting, as corrected. Commissioner Wathen seconded the motion and the motion was approved 2-0-1 with Commissioner Wathen abstaining as he did not attend this meeting.

IN THE MATTER OF CLAIMS

Commissioner Wathen moved to approve Claims #207000 thru 207014, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXIT 59

Commissioner Wathen stated the J & J project at Exit 59 seems to be going good and thanked John Ayers and Don Reitz for forwarding the aerals showing this project.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers reported they are continuing to haul fill dirt for the bridge on the Ronald Reagan Parkway over the CSX tracks. He stated they have placed a box culvert on the south side and will start this week on the north side of this project.

John Ayers advised he will meet with our right-of-way purchase consultant, Eric Knipe with Beam, Longest & Neff, to discuss acquisition of land for the Ronald Reagan Parkway from CR 300N to US 136 and they continue to work with property owners in this area.

Commissioner Wathen stated there are some new Tiger Grants and that we will work with the Town of Brownsburg on a grant for the Ronald Reagan Parkway.

Commissioner Whicker inquired if we had received a response to our request for a signal light at the intersection of the Ronald Reagan Parkway Connector Road and US 136. John Ayers responded he had received no response from INDOT on this request or the letter of June 1, 2010 to the Crawfordsville District of INDOT.

John Ayers presented three change orders from the INDOT Crawfordsville District for the bridge on the Ronald Reagan Parkway over the CSX tracks: Change Order No. 1 for settlement plates in the amount of \$18,684.00; Change Order No. 2 for additional topo survey in the amount of \$2,029.50; and Change Order No. 3 that was for removal of an item and a replacement item, which actually equaled out to “0” amount in change out. Commissioner Wathen moved to approve Change Order No. 1 in the amount of \$18,684.00; Change Order No. 2 in the amount of \$2,029.50; and Change Order No. 3 that was of no additional cost, as presented. Commissioner Palmer seconded the motion and

the motion was approved unanimously 3-0-0.

A draft letter was presented to the Plainfield Town Board relative to drivers for a contractor working with Gradex being ticketed for overweight trucks while traveling to the Ronald Reagan Parkway project. It was the consensus of the Commissioners to sign and send the letter to the Plainfield Town Board regarding ticketed drivers working on the Ronald Reagan Parkway project.

IN THE MATTER OF 70 WEST COMMERCE PARK

Bruce Donaldson, Barnes & Thornburg, presented the May 11, 2010 report from Greg Guerrettaz, Financial Solutions Group (FSG), which was presented to the Hendricks County Redevelopment Commission at their June 2, 2010 meeting relative to 70 West Commerce Park and explained the TIF (Tax Increment Financing) area at Exit 59. He introduced Paul Kite, developer of the 70 West Commerce Park project, with his attorney, Dennis H. Otten of Bose McKinney & Evans. Mr. Donaldson reference page 4 of the report and explained the estimated combined sources and use of funds for this project. He stated this is similar to the Lauth project located across the street from this project. He explained the 90/10 participation and stated this will be at no cost to Hendricks County if the bonds default. He presented a Reimbursement Agreement between Hendricks County, Indiana, an Indiana Municipal Corporation (the “County”) and the Hendricks County Redevelopment Commission (the “Commission”), governing body of the Hendricks County Redevelopment District (the “Redevelopment District”), a special taxing district created under IC.36-7-14. He also presented a Resolution of the Board of Commissioners of Hendricks County Approving the Issuance of Bonds and Approving a Reimbursement Agreement with the Hendricks County Redevelopment Commission. Mr. Donaldson explained both documents and stated they were approved by the Hendricks County Redevelopment Commission at their June 2, 2010 meeting. Commissioner Wathen moved to approve the Resolution of the Board of Commissioners of Hendricks County Approving the Issuance of Bonds and Approving a Reimbursement Agreement with the Hendricks County Redevelopment Commission as Resolution No. 10-09, as presented. Commissioner Palmer seconded the motion. Paul Kite expressed his appreciation to the County for supporting and approving this TIF for his 70 West Commerce Park project at Exit 59. Commissioner Wathen stated the Kite group had been good to work with and he felt both the developer and County will benefit from this project. Commissioner Whicker stated on behalf of the Hendricks County Regional Sewer District he was pleased to see some development begin to take place in this area and make use of the new treatment plant. The motion was approved unanimously 3-0-0.

IN THE MATTER OF EMPLOYEE LEAVE

Mike Graham reported the Commissioners adopted the Temporary Voluntary Unpaid Leave policy effective from January 1, 2010 through December 31, 2010 and stated that based upon budgetary constraints, Ron Love, Human Resources Director and he would recommend that we extend this policy through December 31, 2011. Mr. Graham stated that currently, only one person has used this policy, a Health Department employee took off the full 30 days and the County saved \$2,705, and now another employee is considering this. He also stated that an elected official is considering the use of this policy by her staff as a way to addressing some anticipated budget reductions. It was the

consensus of the Commissioners to extend the effective date of the Temporary Voluntary Unpaid Leave policy through December 31, 2011.

IN THE MATTER OF UTILITY BILLS

Mike Graham referenced when the Commissioners had their budget meeting with Auditor Cinda Kattau and Greg Guerrettaz of Financial Solutions Group (FSG) we talked about what department pays utility bills. He reported that currently, the water, sewer, electricity and gas are paid by budgets in 6 different departments. It is divided as follows: The Facility Manager pays the Court House, Government Center, Museum and Adult Probation; Commissioners Office pays for the Fairgrounds, Multiplex, Animal Shelter, Work Release and Circuit Court Probation; Highway Department pays for Highway; the Sheriff Department pays for the Jail; Cypress Manor pays for Cypress Manor; and the Parks Department pays for McCloud Park. He stated because the bills are divided between so many departments we do not know if anyone is evaluating or managing the utility costs and stated he did not think these departments do anything about the increased cost of utilities other than to observe and to complain about it. Mr. Graham stated he has talked with John Ayres about this issue and they think the majority of these bills should be consolidated under the Facility Manager’s function. They feel the Facility Manager is the logical choice to not just pay the bills, but to begin looking at ways to better manage our utility usage. He further stated Mr. Guerrettaz recommends the consolidation, but wants to see a charge back program developed for those departments who receive funding from sources other than the general fund. He requested the Commissioners to authorize the County Engineer and the Facility Manager to develop a plan to consolidate the management of our utility services; however, the plan does not need to include a total consolidation if it makes sense to keep some of the payments separated. There was discussion of this consolidation of utility bills and if the jail should be included. It was the consensus of the Commissioners to direct County Engineer John Ayers and Facility Manager Kevin Cavanaugh to move forward to follow the recommendation to develop a plan to consolidate management and payment of all County utility bills.

IN THE MATTER OF HENDRICKS COUNTY HISTORIAN

Mike Graham reported the Indiana Historical Society has selected John Parsons as the Hendricks County Historian and stated they are providing him business cards, but he needs to give them contact information. He advised that John Parsons would like to include a County phone number and email address as there is an existing phone and computer in the supply room he uses when doing the archiving. Mr. Graham stated there would be no additional cost to the County. It was the consensus of the Commissioner to grant approval for John Parsons to include a County phone number and email address on his Hendricks County Historian business cards provided by the Indiana Historical Society.

IN THE MATTER OF SHERIFF’S PENSION FUND

Mike Graham reported the County received the McCready and Keene actuarial report on the Sheriff’s pension fund and the recommended increase in local contribution to support the fund. He stated this year the County Contribution is \$724,655 and the recommended 2011 contribution is \$751,999 with the projected unfunded liability increased from \$1,798,286 to \$2,001,592. Mr. Graham stated last year there were concerns about the continued increase in costs of

this pension fund and in cooperation with the County Council the Commissioners authorized Greg Guerrettaz, Financial Solutions Group (FSG), to prepare a study. This study confirmed the pension fund is becoming more of a financial burden to the County. From 1991 to 2007 the pension plan was self sustaining but now there is a change and money from the general fund is needed to support the fund. He stated the Council has included this as an item on the July 8, 2010 Joint Meeting agenda.

IN THE MATTER OF CIRT

Mike Graham announced the CIRT (Central Indiana Regional Transportation Alliance) meeting scheduled for July 20, 2010 has been cancelled as Larry Hesson could not attend on July 20th. Mr. Graham stated he is working to set a new meeting date on a Tuesday in August or September.

IN THE MATTER OF ORDINANCE NO. 2010-16
ORDINANCE FOR MAXIMUM SPEED LIMITS ON CERTAIN COUNTY ROADS
BROYLES ROAD FROM CR 550E TO CR 575E

Commissioner Whicker announced a public hearing had been duly advertised for 9:30 AM to consider an Ordinance for Maximum Speed Limits on Certain County Roads for Broyles Road from CR 550E to CR 575E for a 35 mph speed limit. John Ayers explained the portion of the road for the speed limit currently has no set speed limit in this residential area and this ordinance will reduce speeds with the speed limit at 35 mph to better control the traffic in this area. Commissioner Whicker opened the public hearing at 10:00 AM and asked if there was any public input. There was no comment. He closed the public hearing. Commissioner Palmer moved to approve the Ordinance for Maximum Speed Limits on Certain County Roads for Broyles Road from CR 550E to CR 575E as Ordinance No. 2010-16. Commissioner Palmer clarified that speed signs would be posted in this area. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PRESTWICK - GOLF CARTS

John Ayers stated he had checked with other counties on golf carts crossing streets/roads near a golf course and found that you can post warning signs without having to draft an ordinance and suggested we do that near the Prestwick Golf Course for Ridgehill Drive and CR 525E. It was the consensus of the Commissioners to post warning signs for golf cart crossing on CR 525E and Ridgehill Drive in the Prestwick development.

IN THE MATTER OF COURT HOUSE

John Ayers presented for execution the Agreement with Energy Solutions by JMS, L.L.C. (“Energy Solutions”) an Indiana Corporation and Hendricks County for window replacement and lighting retro fits at the Court House in the amount of \$546,900 that will be covered by the grant. He stated this was approved by the Commissioners on May 25, 2010 to reduce energy costs at the Court House. Commissioner Palmer moved to approve the agreement with Energy Solutions and Hendricks County for the Court House, as presented, to be funded from the grant 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.

John Ayers reported he has ordered the new replacement exterior doors for the Court House and also the card access for the doors.

IN THE MATTER OF ANIMAL CONTROL

Mike Graham presented letters of appointment to the Animal Control Advisory Group for Dan Mazzio,

representing Friends of the Shelter; Krista Tevabaugh, Commissioner Appointee; Merrily Nilles, representing the Humane Society; and Dr. Darrin Steele, as the veterinarian representative. It was the consensus of the Commissioners to approve and sign the letters to the appointees for the Animal Control Advisory Group.

Commissioner Whicker requested the Commissioners to decide their representative at the next meeting. He announced that during the Council meeting on Thursday, June 10, 2010 the Council appointed Nancy Johnson as their appointee to serve on the Animal Control Advisory Group.

Mike Graham requested the Commissioners to provide names of individuals that could serve as a facilitator to the Animal Control Advisory Group for the next meeting.

IN THE MATTER OF WAGE COMMITTEE

Commissioner Whicker announced we had received word that Richard Myers plans to resign from the Wage Committee and as the representative to the County Wage Committee due to his work schedule and was unable to attend the Wage Committee held last week. Commissioner Whicker requested clarification from Attorney Greg Steuerwald on this appointment. Mr. Steuerwald stated this appointee needed to be a resident of Hendricks County and could be from any part of the Hendricks County.

IN THE MATTER OF JOINT MEETING

Auditor Cinda Kattau stated the Council is requesting a joint meeting at 3:30 PM on Thursday, July 8, 2010. She stated they are also requesting the Commissioners to approve to advertise for a public hearing for an Ordinance Reestablishing Cumulative Capital Development Fund and a public hearing for an Ordinance Reestablishing Cumulative Bridge Fund for this meeting. It was noted these public hearings need to be advertised in the Flyer on June 19 and 25 and Republican June 24 and July 1, 2010 to meet requirements for this July 8, 2010 meeting. The two draft ordinances with a draft agenda were presented and noted they have been faxed to Greg Steuerwald for his review and comment. It was the consensus of the Commissioners to approve to advertise, on the dates specified, for a public hearing for an Ordinance Reestablishing Cumulative Capital Development Fund and a public hearing for an Ordinance Reestablishing Cumulative Bridge Fund for this meeting, as presented.

IN THE MATTER OF RIDGEHILL - PEDESTRIAN TRAIL

Commissioner Whicker announced Washington Township Trustee Ronnie Austin would not be in attendance today. There was discussion of the proposed Ridgehill pedestrian trail on the County owned Lot #121 in Ridgehill at Prestwick and of transferring ownership from Hendricks County to Washington Township. Attorney Greg Steuerwald explained the idea of conveying property between government entities by doing a joint resolution. It was the consensus of the Commissioners for Greg Steuerwald to draft an agreement and bring back next week for consideration.

IN THE MATTER OF AMATEUR RADIO PROCLAMATION

Commissioner Whicker stated Jay Wright, Amateur Radio, had requested their annual proclamation for Amateur Radio declaring the week of June 29, 2010 as Amateur Radio Week and presented a draft proclamation for consideration. Commissioner Palmer moved to adopt and sign the proclamation declaring the week of June 29, 2010 as Amateur Radio Week. Commissioner Whicker read the following proclamation:

P R O C L A M A T I O N

AMATEUR RADIO WEEK

WHEREAS, the County of Hendricks, has more than 1,000 licensed Amateur Radio Operators who have demonstrated their value in public assistance by providing emergency radio communications; and

WHEREAS, these Amateur Radio Operators donate these services free of charge to Hendricks County in the interest of the citizens of the County as well as the world; and

WHEREAS, these Amateur Radio operators are on alert for any emergency, local and Worldwide and practice their communications skills during the American Radio Relay League's Field Day exercise; and

WHEREAS, the Amateur Radio Field Day will take place on Saturday, June 26 and Sunday, June 27, 2010 at Hendricks Count 4-H Fairgrounds and Conference Complex. Hendricks County also recognize the central Indiana counties participating in Marion Count for the Central Indiana Amateur Radio Community.

NOW, THEREFORE, we as Commissioners of the County of Hendricks hereby declare the week of June 21, 2010, AMATEUR RADIO WEEK.

In recognition of this important emergency preparedness exercise we call upon all citizens to pay appropriate tribute to the Amateur Radio Operators of Hendricks County.

In witness whereof Hendricks County Board of Commissioners, dated this 15th day of June 2010.

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

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

Commissioner Whicker stated Jay Wright had requested a Commissioner to attend the noon ceremony on Saturday, June 26, 2010 to read the proclamation at that time. There was discussion of the Commissioners schedules on that date. It was the consensus of the Commissioners to contact Mr. Wright that since no Commissioners had this date available they would be unable to read the proclamation, however, if their schedules changed they would notify him.

IN THE MATTER OF PLANNING

Commissioner Palmer referenced a letter from a citizen requesting verification that a mobile home was currently occupied under the terms of the zoning approval. Don Reitz stated the Planning staff can visit this property. Greg Steuerwald explained the staff can follow up, but this should be a Commissioner request for the BZA to follow-up on this request. It was the consensus of the Commissioners for the BZA to follow-up on this citizen request and that Commissioner Palmer respond to the citizen advising them the staff is checking on this matter.

IN THE MATTER OF VENDING MACHINES

A cancellation letter to Treat America, formerly Calderon Brothers Vending, was presented in accordance with action taken during the June 8, 2010 meeting to cancel the current vending contract with Treat America. It was the consensus of the Commissioners to sign and send the cancellation letter to Treat America for vending service at the Government Center, Court House and Adult Probation.

IN THE MATTER OF FORMER DANVILLE TOWN HALL

John Ayer advised he had received no comment relative to the former Danville Town Hall.

IN THE MATTER OF CORRESPONDENCE

Commissioner Whicker acknowledged receipt of the following correspondence:

Correspondence:

- 1. IDEM, Permits Branch, Office of Air Quality, SDI Engineered Bar Products Division, Notice of Decision: Approval-Effective Immediately, Permit Modification.
- 2. Plainfield Town Council has adopted a Declaratory Resolution establishing economic revitalization areas for the purpose of granting ten year real property abatements.
- 3. IDEM, Permits Branch, Office of Air Quality, Notice of Decision-Approval, Twin Bridges Recycling and Disposal Facility.
- 4. IDEM, Permits Branch, Office of Air Quality, has received an application from Twin Bridges Recycling and Disposal Facility to administratively amend their existing Title V operating permit.
- 5. IDEM, Permits Branch, Office of Air Quality, Notice of Decision-Approval, Enterprise Refined Products Company, LLC.
- 6. IDEM, Office of Water Quality, Facility Construction Section has received a sewer permit from Platinum Properties, LLC to allow the applicant to construct Northfield@ Wynne Farms, Section B in Brownsburg, IN.
- 7. IDEM, Office of Water Quality, Facility Construction Section has received a sewer permit from Beazer Homes Indiana, LLP to allow the applicant to construct The Groves at Beechwood Farms, Section 3 in Avon, IN.

Action needed/taken on the following:

- 1. Checks received and signed to the county:
 - a. Forum Credit Union\$1,700.00 This check should have been payable to the Treasurer for a permit in Planning.
- 2. Whicker signed vehicle titles for the following: None
- 3. Documents needing action: None

IN THE MATTER OF 4-H AND AG FAIR ASSOCIATION

Receipt was acknowledged of a copy of the 2011 budget from the Hendricks County 4-H and Ag Fair Association.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the weekly Human Resources report for June 7 – 11, 2010 from Ron Love, Human Resources Director.

IN THE MATTER OF HIGHWAY

John Ayers reported the Highway Crew is working to remove some trees that were blown down yesterday during the storms throughout the County.

John Ayers relayed a call from a Putnam County resident relative to the poor road conditions of the Putnam and Hendricks County Line Road and explained the jurisdiction and responsibilities of each County on a county line road. There was discussion of the road conditions of the Putnam/Hendricks County Line Road.

Receipt was acknowledged of the weekly Highway report for June 7 - June 11, 2010 from Curt Higginbotham, Highway Superintendent.

Commissioner Palmer moved to adjourn the Commissioners’ meeting at10:45 AM. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

David A. Whicker, President

Eric L. Wathen, Vice President

ATTEST: _____
Judith Wyeth, Deputy Auditor

Phyllis A. Palmer, Member



