

December 7, 2010

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, December 7, 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
Doug Morris		Hendricks County Systems Administrator
Ronald Love		Hendricks County Human Resources Director
Curt Higginbotham		Hendricks County Highway Supervisor
Kevin Cavanaugh		Hendricks County Facilities Manager
Laura Herzog		Hendricks County Election Supervisor
David Warren		Hendricks County Emergency Management 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 November 23, 2010 meeting, as corrected.

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

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IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve Claims #214331 thru #214315, 214336 thru 214571, #214676 thru 214697, #214393 thru 215422, #097838 thru 097951 and Direct Deposit # 064549 thru 069054, as presented. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF EXIT 59

Mike Graham stated he had nothing to report on Exit 59 and had no contact with the developers.

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IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers stated the contractor for the bridge on the Ronald Reagan Parkway over the CSX tracks is working on the piers.

John Ayers presented a Local Detour for County Roads from INDOT for the Ronald Reagan Parkway, north of US 136, however, the incorrect County name was on the letter and Mr. Ayers was directed to return this request to INDOT for a corrected letter.

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IN THE MATTER OF ANIMAL CONTROL

Mike Graham stated Human Resources Director Ron Love, Animal Control Chief Officer Mary Anne Lewis and he have talked about scheduling changes for the operations at the Shelter. He stated initially they were advocating increasing the flex hours from one pay period to two pay periods, however, it was determined that this did not accomplish the goal. Mr. Graham explained that after more discussion they evaluated closing the Shelter on Wednesdays for those weeks when the shelter was open on Saturday. It was determined this would not work. The final recommendation is to change the hours open to the public. Doug Morris stated the hours of the Animal Control are posted on the Animal Control web page and will be changed when new hours are adopted. Commissioner Palmer moved to approve the recommendation from staff to adopt the new public hours of operation for the Animal Control Shelter to the following: Monday 9 AM – 4 PM, on Tuesday 9 AM –

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4 PM, on Wednesday 9 AM – 4 PM, on Thursday Noon – 6 PM, on Friday 9 AM – 4 PM and on the first and third Saturday of the month from 9 AM to 1 PM. Commissioner Whicker acknowledged the receipt of several emails and comments on the schedule and stressed the need to work together. He announced the next meeting of the Animal Control Advisory Group will be January 16, 2011. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF AWARDING BIDS FOR 2011 HIGHWAY SUPPLIES

John Ayers stated they have received and reviewed all bids for highway supplies that were received on November 2, 2010 for the 2011 calendar year and presented a list of their recommendation for awarding the bids as follows:

UNLEADED GASOLINE	Co-Alliance	\$2.1943/gal.
DIESEL FUEL	Petroleum Traders	\$2.3996/gal.
WINTERIZED DIESEL	Co-Alliance	\$2.4134/gal.
STONE	243 Quarry Lincoln Park US Aggregates	Primary for Crushed Stone Secondary for Crushed Stone Fill Sand and Pea Gravel
PIPE – GALVANIZED	Award to all due to range of items Metal Culverts Inc. St. Regis Culvert, Inc. CPI Supply	
PIPE – ALUMINIZED	Award to all due to range of items Metal Culverts Inc. St. Regis Culvert, Inc. CPI Supply	
PIPE – PVC	Award to all due to range of items St. Regis Culvert, Inc. CPI Supply HD Supply Waterworks	
ASPHALT	HMA Intermediate, Type A, F.O.B. HMA Surface, Type A, F.O.B. HMA Intermediate, Type A, paver laid HMA Surface, Type A, paver laid Cold Mix Liquid Asphalt, AE-60, applied Liquid Asphalt, AE-60, F.O.B.	Rieth Riley Rieth Riley Milestone Milestone Rieth Riley Milestone Asphalt Materials \$40.25/ton \$52.40 \$39.70 \$43.70 \$94.00 \$619.00 \$444.00

Regarding Items that were quoted, we recommend the following:

SIGNS	Hall Signs Stello	Primary on traffic signs and posts Secondary on traffic signs and posts
TIRES	Award to all due to range of items Pomp’s Tire Sparks Commercial Tire Sullivan’s Tire	
OIL and LUBRICANTS	Award to all due to range of items Newton Oil NAPA Hoosier Penn Kenworth of Indianapolis Power Train	

Curt Higginbotham reported the bids were about the same as last year and advised that the asphalt bid and fuel

bid both included deceleration and acceleration clauses. Commissioner Wathen moved to approve the Engineer’s recommendation and to award the bids for Highway 2011 supplies as stated. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-00.

IN THE MATTER OF CONSOLIDATION BROWN & LINCOLN TOWNSHIPS

Sam Tolen, Lincoln Township, explained he is involved in evaluating the proposed consolidation of Brown and Lincoln Township and requested cooperation from the County in collecting information on this matter.

IN THE MATTER OF EMERGENCY MANAGEMENT – GRANT

Dave Warren presented the 2010 Emergency Management Performance Grant – Competitive Sub-Grant Agreement CFDA #97042 ENS#C44P-1-153A in the amount of \$3,749.87. He explained this was a reimbursement from Homeland Security from state funds for salaries and equipment and presented the list of equipment. Mr. Warren further explained this grant is based on performance. Commissioner Palmer moved to approve the Emergency Management Performance Grant – Competitive Sub-Grant Agreement CFDA #97042 ENS#C44P-1-153A in the amount of \$3,749.87 and sign the grant. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TOWNSHIP BOARDS

Receipt was acknowledged of an email from Laura Herzog requesting appointments to fill vacancies on the Franklin Township Board, Liberty Township Board, Middle Township Board and Union Township Board along with a copy of the State Statute regarding these appointments. She listed the following vacancies:

- Franklin Township (2) Diane Farthing, Don Hochstetler
- Liberty Township (1) Robert Ray Hubbard
- Middle Township (1) EITHER Dan Devlin or Andy Baldauf
- Union Township (1) Jerry Love

David Whicker responded that the Liberty Township appointee, Robert Ray Hubbard, is now deceased. Laura Herzog explained they have contacted the Hendricks County Republican Party Chairman on this matter. She also explained there are two candidates in Middle Township as the two incumbents did not file, however, another individual did file and was elected for one of the seats so there are two incumbents to be considered for one seat in Middle Township, Commissioner Wathen moved to appoint Dan Devlin to the Middle Township Board. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Wathen moved to appoint Diane Farthing and Don Hochstetler to fill the two vacancies on Franklin Township Board. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Wathen moved to appoint Jerry Love to fill the vacancy on the Union Township Board. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COUNTY PHONE SYSTEM

Kevin Cavanaugh presented a Proposal Summary for 2011 phone system upgrade as follows:

AT&T	\$93,303.40	CPI	\$72,195.16	NACR	\$72,501.31
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He gave a brief history of the phone system and explained these proposed changes and stated he will bring

recommendation and contract to the next meeting. It was the consensus of the Commissioners to move forward with CPI on upgrading the County phone system and for Mr. Cavanaugh to bring the contract next week.

IN THE MATTER OF FORMER DANVILLE TOWN HALL

John Ayers reported his staff is working on a space plan for the former Danville Town Hall and stated when their review is complete they will bring the plan to the Commissioners for their review. John Ayers stated they are trying to keep the building modification to a minimum as a cost savings.

IN THE MATTER OF COMPUTER DEPARTMENT

Doug Morris reported the internet is slow, but they have been working with it the past two week and are experiencing some problems.

John Ayers advised they are awaiting a second quote for backup HVAC for the computer room.

IN THE MATTER OF LIBERTY TOWNSHIP FIRE

Mike Graham reported Bobbie Dixon the Fire Chief for the Fire Department of Liberty Township has submitted an invoice for \$494,294.00. The payment would cover the purchase of a pumper truck. The balance in the EDIT funds committed to the Fire Department of Liberty Township is \$499,488.44 and recommends the Commissioners authorize payment for the purchase of this vehicle. Commissioner Whicker moved to approve the Liberty Township Fire Department purchasing a pumper trunk in the amount of \$494,294, per agreement. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ROAD SNOW EMERGENCY

Mike Graham reported the current process for declaring a road/snow emergency involves a joint discussion with Commissioner Whicker, Highway Superintendent, Sheriff and EMA Director. He stated this group has worked well the last few winter seasons, however, as Commissioner Whicker will be leaving at the end of the year another Commissioner needs to be involved. He also explained the organizational structure has changed since last winter as now the Highway Superintendent reports to the County Engineer and now the County Engineer will be added to the group. Mr. Graham stated the process of having a group involved in declaring a road/snow emergency is good and everyone involved needs to have an understanding of the process. There was discussion of the road snow emergency process. Commissioner Wathen volunteered to replace Commissioner Whicker, as of this date, and that Curt Higginbotham be the point person. It was the consensus of the Commissioners for Commissioner Wathen to represent the Commissioners on road snow emergencies and that Curt Higginbotham be the point person.

Dave Warren requested to present a proposed policy next week for declaring different levels of snow emergencies. It was the consensus of the Commissioners for the Emergency Director to draft a policy and bring back for the Commissioners, Highway and counsel review.

IN THE MATTER OF SNOW REMOVAL

John Ayers reported the Highway has requested private contractors to clear the snow in the 82 subdivisions in Washington Township that are inside Hendricks County jurisdiction. He presented the following quotes per snowfall event in inches for the 2020-2011 season:

	1-3	3-6	6-9	0-12	12+
Lynch	\$ 5,470	\$10,600	\$15,760	\$20,865	\$ 28,178 not all subdivisions
Bear’s	\$23,440	\$33,973	\$49,359	\$72,858	\$105,679
Spencer	\$ 8,700	\$16,000	\$24,200	\$32,550	not all subdivisions
Pierre	\$23,995	\$35,159	\$49,354	\$72,679	\$107,322
Extreme Lawns	\$ 5,564	\$ 6,628	\$ 8,235	\$10,934	\$ 13,105
E - Scape Mowing	\$13,680	\$14,437	\$115,960	\$18,390	\$ 20,519

Curt Higginbotham stated Extreme Lawns is the lowest and he has met with them more than once and they have expressed confidence that they can remove the snow for this amount. He suggested using “as needed” basis for the snow removal. Attorney Greg Steuerwald stated they need to provide a contract for these services. It was the consensus of the Commissioners that a contract of the snow removal services be drafted and to bring back for further consideration.

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IN THE MATTER OF HIGHWAY UNIFORMS

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Curt Higginbotham, stated they are still working on the contract for Highway uniforms.

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IN THE MATTER OF CASUALTY AND LIABILITY INSURANCE

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Mike Graham gave an update on the County casualty and liability insurance coverage and reported we have accepted insurance bids from the seven agents. He stated Mark Forsythe, Insurance Audit, is in the process of preparing a summary sheet to compare the various bids and he is planning on giving a presentation at the December 14, 2010 Commissioners’ meeting. He also stated the absolute deadline for selecting the insurance company is December 17, 2010, unless we are willing to pay around \$100,000 for a month’s extension and if Mr. Forsythe does not complete the summary sheet by December 14, 2010 it may be necessary to hold a special meeting on or before December 17, 2010. Mr. Graham stated because this is a service contract we do not need to accept the lowest bid and because of the compressed bid process we do not have time to conduct interviews with all the agents to try and access their service potential. Commissioner Wathen moved to extend the current insurance to January 19, 2011 to allow time to review the recommendations. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. There was discussion of the process for selection. Mike Graham explained several options for this review.

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IN THE MATTER OF EMPLOYEE HEALTH INSURANCE

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Mike Graham presented the renewal policies for Employee Health Insurance with Symetra Excess Loss Alternate Reimbursement Endorsement and reported Human Resources Director Ron Love has stated these are renewals of existing policies with no changes and they have been approved by the Insurance Committee. Commissioner Wathen moved to approve the Stop Loss renewal policy endorsement, as presented and authorize the President to sign 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 NOTICE TO BIDDERS - GU-070

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John Ayers presented a Notice to Bidders for replacement of Culvert GU-070, located on CR 825E over Branch of White Lick Creek in Guilford Township, and requested to advertise for bid opening at 9:30 AM on Tuesday, January 11, 2011. Commissioner Palmer moved to approve the Notice to Bidders for GU-070, and to advertise for bid opening on January 11, 2011 at 9:30 AM. Commissioner Wathen seconded the motion and the

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motion was approved unanimously 3-0-0.

IN THE MATTER OF PUBLIC HEARING – SPEED LIMIT CR 600N

John Ayers stated that since the improvements on CR 600N have been completed there is concern over the speeding along this County Road. He presented a Notice of Public Hearing to establish a speed limit on County Roads for CR 600N from CR 900E to Raceway Road. Mr. Ayers requested to advertise this public hearing for Tuesday, January 11, 2011 at 9:30 AM. Commissioner Palmer moved to advertise the Public Hearing to set a speed limit on CR 600N from CR 900E to Raceway Road, as requested by the County Engineer. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EAST CAMPUS ROAD

John Ayers reported they need to remove the old asphalt on the East Campus around the community building , including the pavement and parking lot, but to keep the pavement at the entrance from US 36 to the Multiplex . He presented estimates from:

Central Engineering	\$39,000	Keith Miner	\$10,000
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It was the consensus of the Commissioners to have Keith Miner remove the asphalt at the East Campus.

IN THE MATTER OF HIGHWAY TOWER

John Ayers explained the existing cell tower at the Highway garage and stated he is required to notify Sprint, or their successors. to add County equipment for E-911. It was the consensus of the Commissioners for John Ayers to proceed to make contacts for use of the cell tower at the Highway garage.

IN THE MATTER OF CADET WAY

Receipt was acknowledged of an email from Christine Shepard requesting to change the street name of CR 200W to Cadet Way or Cadet Road for the portion of CR 200W that is in front of the Cascade Jr.- Sr. High School, located at 6565 S. CR 200W, Clayton, IN. Also, included was a map showing the area being requested in this street name change. There was no representative present for this request, therefore, the Commissioners took no action on this request.

IN THE MATTER OF ENERGY SAVINGS

Commissioner Wathen requested the staff to lower thermostats in County building to conserve energy and to reduce our utility costs. John Ayers responded they have been turning the thermostats down and will continue to do so.

IN THE MATTER OF IACC – HIGHWAY REDUCTIONS

Commissioner Palmer reported she had attended a presentation during the recent IACC (Indian Association County Commissioners) Conference where they reduced highway costs by alternating their schedule of work hours and suggested this be checked.

IN THE MATTER OF COMMUNITY CORRECTIONS

Receipt was acknowledged of the November 18, 2010 letter from Judge Love, Superior Court 3, requesting the appointment of Wendy Knight, Superintendent of the Plainfield Correctional Facility, to the County Correction Advisory Board. Commissioner Palmer moved to appoint Wendy Knight to the Community Corrections Advisory Board . Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HENDRICKS REGIONAL HEALTH - APPOINTMENT

Receipt was acknowledged of the November 22, 2010 letter from Terry Dillon, Chairman Board of Trustees of Hendricks Regional Health, requesting the reappointment of Terry Dillon to the Hendricks Regional Health Board of Trustees along with the names of Bret Petty and Dave Whicker submitted for consideration. Receipt was also acknowledged of the November 22, 2010 letter from Terry Dillon requesting to be reappointed to the Board of Trustees. There was a brief discussion of the appointment. Commissioner Whicker moved to reappoint Terry Dillon to the Hendricks Regional Health Board of Trustees. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TRASFER AND ENCUMBRANCE LETTERS

The following letters were presented for transfer:

\$2,500 From: 100-32600-000-135: Telephone      To: 100-13501-000-135: Board of Review  
\$600.00 From: 100-32600-000-135: Telephone      To: 100-31800-000-135: OSHA Mandates  
\$15,000.00 From: 100-44000-000-135: Equipment      To: 100-46000-000-135: Special Contracts  
\$499,488.44 in 285-42006-000-135: Liberty Township Fire for Encumbrance

Commissioner Wathen moved to approve and sign the transfer and encumbrance letters, as presented.

Commissioner Palmer 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. Cummins Behavioral Health Systems, Inc., Board of Directors Meeting Announcement, Thursday, December 2, 2010, 6:00 p.m., Board Conference Room, Avon, IN.
2. IDEM, Office of Water Quality, Facility Construction and Engineering Support Section, Permit Application Plans and Specification for Sanitary Sewer, Koger Subdivision, Hendricks County, IN.
3. IDEM, Office of Water Quality, Facility Construction and Engineering Support Section, Permit to Construct Sanitary Sewer System, Decision of Approval, Koger Inc., Hendricks County, IN.
4. INDOT Compliance Review has been completed INDOT Section 5311 Sycamore Services/LINK Hendricks County. Pat Cochrum, CEO, Executive Director, Sycamore has written a response to INDOT.

**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

IN THE MATTER OF LEGAL SUIT - ASSESSOR

Receipt was acknowledged of the Judgment Entry in regard to Hubler Realty Company v. Hendricks County Assessor from Greg Steuerwald stating the court found in favor of the Assessor.

IN THE MATTER OF ORDER - DOHRENWEND

Receipt was acknowledged of an ORDER from Stephenson Morrow & Semler stating the bench trial in small claims scheduled for December 9, 2010 for Linda Dohrenwend for accident of August 9/10, 2008 allegedly caused by a road hazard on South Masten Road resulting in complete loss of a 1999 Jeep valued at \$6,000, has been continued to January 13, 2011 at 10:00 AM by Judge Mark A. Smith, Superior Court No. 4.

IN THE MATTER OF VETERANS' AFFAIRS

Receipt was acknowledged of the November 24, 2010 City & County VSO's monthly Report from Lori

Turpin, Veterans’ Affairs Officer.

IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for November 22 to December 3, 2010 from James McBryant, Cypress Manor Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the December 6, 2010 Human Resources report from Ron Love, Human Resources Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway reports for November 15 – November 29, 2010 and November 22 – November 26, 2010 from Curt Higginbotham, Highway Superintendent.

Receipt was acknowledged of the November 22, 2010 letter from Downey Insurance stating their training session at the Highway Garage on November 29, 2010 went very well.

IN THE MATTER OF PLANNING AND BUILDING

Receipt was acknowledged of the November 30, 2010 Report of Collections for the Planning & Building Departments from Don Reitz, Planning Director.

IN THE MATTER OF LINK HENDRICKS COUNTY

Receipt was acknowledged of the Hendricks County, Indiana Compliance Review Final Report for LINK Hendricks County.

IN THE MATTER OF 4-H AMBASADOR PROGRAM

Commissioner Wathen reported he had participated in the 4-H Ambassador program and was very impressed with the program and with the youth participating in this program.

IN THE MATTER OF MEETINGS

Commissioner Whicker announced the Commissioners would be meeting at 1:00 PM with Department Heads to discuss 2010 accomplishments and 2011 objectives.

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 11:17 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

