

January 25, 2011

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, January 25, 2011 with a quorum of two (2) Commissioners in the Commissioners' Meeting Room on the first floor of the Hendricks County Government Center with the following in attendance:

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| Bob Gentry |) | |
| Phyllis A. Palmer |) | Hendricks County Board of Commissioners |
| 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 |
| Doug Morris | | Hendricks County Systems Administrator |
| Judith Wyeth | | Secretary to the Commissioners |

NOTE: Commissioner Wathen was on vacation and did not attend this meeting.

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

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the minutes of the January 11, 2011 meeting, as corrected.

Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Claims #216063 thru 216073, #216074 thru 216078, #216093 thru 216097, #216113 thru 216118, #216593, #216594 thru 216605, #216610 thru 216614, #216668 thru 216676 and #216274 thru 216592, as submitted. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF EXIT 59

Mike Graham reported he had yet to receive no response from J & J on the request for several elected officials to tour their new facilities at Exit 59.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers stated he had nothing new to report on the Ronald Reagan Parkway as the extreme cold weather and snow had limited construction activities on the bridge on the Ronald Reagan Parkway over the CSX tracks.

IN THE MATTER OF APPOINTMENTS

Mike Graham reported there were a number of items that needed additional research before some 2011 appointments can be made and explained the following:

Mike Graham stated the County Commissioners have one appointment to the Regional Transit Authority with a term of the appointment for 4 years, however, a member may be reappointed for successive terms and the member of the board serves at the pleasure of the appointing authority. Mr. Graham stated there is not a clear record on when Larry Hesson was appointed to the Regional Transit Board and stated we need to complete our research on when Mr. Hesson was first appointed. It was the consensus of the Commissioners to take more time before making this appointment to the Regional Transit Board.

Mike Graham advised the Hendricks County Building Corporation can be removed from the list of appointments by the Commissioners as this Building Corporation was established to administer the bond issued for redoing the Government Center in 1998. In 2008 there was a Refunding Bond issued and a resolution was passed to authorize the County Commissioners to administer the distribution of the Refunding Bond. He stated the adoption of this

resolution on March 4, 2008 effectively did away with the Building Corporation and the Commissioners do not need to consider the appointment of the Building Corporation members. It was the consensus of the Commissioners to remove the Hendricks County Building Corporation from their list of Board appointments.

Mike Graham reported the County Commissioners shall appoint the three members of the Economic Development Commission as the Commissioners appoint one member without a nomination and currently that member is Treasurer Nancy Marsh. He stated he Council provides a nomination and Plainfield provides a nomination. Mr. Graham stated he Council has previously nominated Hursel Disney and Plainfield nominated Plainfield Town Manager Rich Carlucci. He further stated the initial appointments were to be for staggered terms of one, two and three years with the succeeding appointments running for four year terms. Mr. Graham stated it appears we have been making annual appointments and requested the Commissioner to delay the appointments until we can develop a recommendation of how to deal with the staggered term problem. It was the consensus of the Commissioners to continue the appointment of the Economic Development Commission to a future time.

IN THE MATTER OF COMMISSIONERS ELECTION DISTRICTS

Mike Graham responded to a Commissioner inquiry to consider establishing new Commissioner Districts based on the 2010 Census and if the Commissioners establish any other election districts. He stated the Commissioners are only responsible for determining the Commissioner districts and are not responsible for establishing districts for any other unit of local government. Also, the Commissioners shall establish their districts the first year after the decennial census. He stated in establishing the districts the Commissioners cannot cross precinct boundaries, but the district can cross township lines only if it is clearly necessary to accomplish redistricting under the Indiana Code. Mr. Graham explained the 2010 census data is not likely to be available until March 2011. There was no action taken.

IN THE MATTER OF PROPERTY AND CASUALTY INSURANCE

Mike Graham presented a proposal from Insurance Audit to continue to provide insurance consulting services to Hendricks County for 2011. He presented the proposal with two parts: Proposal 1 is consulting services for \$10,000 which will provide (30) hours of on call service over the year and Proposal 2 for an additional \$10,000 to do an insurance audit similar to the audit they did last year. He recommended accepting Proposal 1 and not Proposal 2. Mr. Graham explained it would be beneficial to have Insurance Audit with us to review the final policy that HBG Wiggins will be putting together and stated Commissioner Wathen has signed the binder agreement for coverage but the policy still needs to be finalized and stated he did not think it is important for us to do the audit if we are careful about finalizing the policies. There was discussion of drafting a possible third proposal for consideration. It was the consensus of the Commissioners to delay action on the Insurance Audit proposals until Commissioner Wathen was present.

IN THE MATTER OF CLAIM PROCEDURES

Mike Graham explained with the reduction in the number of monthly meetings Auditor Cinda Kattau, Judy Wyeth and he are looking at a better way of managing the Commissioners' budget claims and stated we may gain some efficiency by setting up a report versus the Commissioners having to sign individual claims. He explained that

there is some inefficiency in our current system because often times the claims are setting on a desk waiting for a signature rather than being processed. He stated all the details have not been worked out about developing a report, but before going too far they need the Commissioners input. Mr. Graham stated we do not need a report if the Commissioners prefer to sign individual claims and provided a sample report. There was discussion of the proposed change in the report of Commissioners' claims. It was the consensus of the Commissioners to continue discussion of the claim procedure at the next meeting.

IN THE MATTER OF AVON MARCHING BLACK AND GOLD

Commissioner Palmer recognized several staff member from Avon High School and a member of the Avon Marching Black and Gold for their many awards and recognitions the band has received during this school year and read the following proclamation:

**P R O C L A M A T I O N
RECOGNIZING
AVON MARCHING BLACK & GOLD**

BE IT REMEMBERED THAT: THE Hendricks County Commissioners and the Citizens of Hendricks County recognize: The AVON MARCHING BLACK & GOLD, for being awarded the Class A ISSMA State Championship, being awarded the Indianapolis Bands of America Regional Championship, winning the Class AAAA National Championship at the Bands of America Grand National Championships and winning the National Championship at the Bands of America Grand National Championships.

BE IT REMEMBERED THAT: The Avon Marching Black & Gold has represented the citizens of Hendricks County and the State of Indiana in achieving the highest honors for a high school band. The band members serve as role models to all youth. Their dedication to practice, teamwork, high goals, hard work and mental attitude serve as an example to all Hendricks County students. The students and supporting staff have shown great leadership and dedication. Their fellow students have supported them in an enthusiastic manner that does Avon High School and All of Hendricks County proud.

NOW. THEREFORE, IN CONSIDERATION: Of the above contribution to Hendricks County by the Avon Marching Black & Gold the Hendricks County Commissioners in their unanimous and inherent jurisdiction, by this Proclamation do hereby declare, recognize and honor our outstanding youth. This order entered into this 25th Day of January, 2011, at 9:30 AM.

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

The Commissioners commended the band members and congratulated the Avon High School staff and band members on their many accomplishments. The band director announced the Avon High School Marching Black & Gold had been invited to the Rose Bowl Parade in Pasadena, California for January 1, 2012.

IN THE MATTER OF ORDINANCE 2011-04
ZA 406/10: MICHAEL TRAPP

Don Reitz presented ZA 406-10: Michael Trapp, for a zoning change from GB/General Business District and AGR/Agriculture Residential District to LI/Light Industrial District for 5.97 acres in Lincoln Township, located on the north side of US Highway 136, approximately 0.25 mile west of Raceway Road. Mr. Reitz stated the Plan Commission held a public hearing for this zoning amendment on January 11, 2011 and sends it with a favorable recommendation of 7-0-0. There was brief discussion of this zoning change. Commissioner Gentry moved to approve ZA-406/10: Michael Trapp, as recommended by the Plan Commission, as Ordinance No. 2011-04. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF CULVERT GU-070

John Ayers stated he had reviewed the four bids opened on January 11, 2011 for Culvert GU-070, located on CR 825E over A Branch of White Lick Creek in Guilford Township, and stated he has talked with the low bidder, Trisler, to confirm the prices in their bid of \$92,730.45. He recommended awarding the project to Trisler Construction as they submitted the lowest responsive and responsible bid. Commissioner Gentry moved to follow the recommendation of County Engineer John Ayers to award the bid for Culvert GU-070 to Trisler Construction as the lowest most responsive and responsible bidder. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

John Ayers also recommended hiring CMT (Crawford, Murphy and Tilly), Inc. to do the construction inspection on GU-070 per their on-call contract with Hendricks County. He stated CMT is estimating the fee for this project at \$16,900, which is comparable to other recent projects they have inspected. Commissioner Gentry moved to follow the recommendation of County Engineer John Ayers to hire CMT, Inc. to do the construction inspection on Culvert GU-070 in the amount of \$16,900. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF MPO

John Ayers reported the MPO (Metropolitan Planning Organization) vote on their long range plan will be held on February 2, 2011 and he has been advised the transit and vision portion of the plan will be separated out and the vote will be only on the funded projects portion of the plan. He explained he and Lesa Ternet, voting representatives for Hendricks County, are looking to the Commissioners for direction for their vote and stated the removal of the transit portion of the plan to be acted on seemed to be consistent with the Commissioners’ desires and asked for clarification. It was the consensus of the Commissioners for John Ayers and Lesa Ternet to vote in favor of the funding portion for the MPO long range plan as long as transit was not a part of the plan.

IN THE MATTER OF B&O TRAIL

John Ayers explained the B&O trail is planning to make application for a Transportation Enhancement grant for a portion of the trail on the west side of SR 267 and he will be working with them to meet the due date of March 1, 2011.

IN THE MATTER OF GOVERNMENT CENTER - COMPUTER HVAC

John Ayers reported in light of the recent problems with the cooling system in the IT department, which led to some equipment failures, they have obtained prices to install a backup cooling unit which will activate if the main cooling fails for some reason and the temperature rises above a certain point. He explained the unit could be placed on the ground outside the southwest entrance to the Government Center where it would be screened with shrubbery or the unit could be installed on the roof. He recommended locating the unit on the ground and presented quotes for this ground unit:

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| AMS | \$ 9,708 | Precision Control | \$9,965 |
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Mr. Ayers recommended going with Precision Control because they have done most of the other HVAC work in the Government Center and have our Preventative Maintenance Contract for the building. He also stated the electrical

work for this system is estimated at \$2,998 on top of the installation making the cost a total of \$12,963, which could be funded from Cum Cap. Commissioner Gentry moved to follow the recommendation of County Engineer John Ayers and hire Precision Control to install a ground HVAC unit and do electrical work in the amount of \$12,963 for the IT department in the Government Center. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF BOB CARROLL

John Ayers stated Assistant County Engineer Jim Andrews has painted a portrait of Bob Carroll and requested to place this painting along with a plaque in the Courthouse in memory of Mr. Carroll and in recognition of the many restoration projects Mr. Carroll completed for the County during his thirty years in the Engineering Department. Commissioner Gentry moved to approve placing a portrait of Bob Carroll and a plaque in his memory in the Courthouse. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0. John Ayers stated they would like to have a dedication ceremony when the portrait is placed. It was the consensus of the Commissioners to hold the dedication ceremony for the Bob Carroll portrait at 11:30 AM on Tuesday, March 22, 2011 in the Courthouse.

IN THE MATTER OF FORMER DANVILLE TOWN HALL

John Ayers explained they have met with Prosecutor Pat Baldwin on the renovation of the Former Danville Town Hall for the Prosecutor’s office and they will also be working with Andy Hine of Arc Design on the design work. He stated this renovation will be funded from EDIT and they plan to move offices into this space in early summer.

IN THE MATTER OF PROSECUTOR’S OFFICE

John Ayers requested to hire Micro Air to test the air quality in the Prosecutor’s current office and presented a proposal for \$675. Commissioner Gentry moved to approve the hiring of Micro Air for air testing in the Prosecutor’s current office in the amount of \$675. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF COURTHOUSE WINDOWS

John Ayers reported the Courthouse window replacement project is complete with the exception of some minor detail work.

Commissioner Palmer stressed tracking the utility bills since the windows have been replaced. John stated they are tracking the utility bills, however, it will be sometime before they will have a comparison report for savings as they will need to compare weather temperatures, etc. over a period of time.

IN THE MATTER OF GOVERNMENT CENTER SHRUBS

Commissioner Palmer questioned the look of dying shrubs on the south side of the Government Center. John Ayers stated he will check on the shrubs.

IN THE MATTER OF SNOW REMOVAL

John Ayers reported the two snow removal contractors have been able to remove the snow in the subdivisions in Washington Township within Hendricks County and have cleared these streets in a timely manner.

IN THE MATTER OF COUNTY ATTORNEY

Receipt was acknowledged of the contract for Services as County Attorney for 2011 from Gregory E. Steuerwald, for the law firm of Steuerwald, Hannon, Zielinski & Witham. The January 10, 2011 letter accompanying the contract from Mr. Steuerwald stated it was previously discussed that he would receive an increase in pay this year, however, after discussing this matter among his partners and considering the economic climate we are facing, he advised he has decided to decline the increase this year. Commissioner Gentry moved to approve the contract with Steuerwald, Hannon, Zielinski & Witham for 2011 legal services, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF DIGITAL RECORDS CANTERBURY COLLEGE AND CENTRAL NORMAL COLLEGE

John Parsons, Hendricks County Historian, introduced Cindy Rutledge and Mindy Tuceryan, Librarians of the Danville – Center Township Public Library, and Gail Tharp, President Hendricks County Museum. He advised they were working together to obtain a State \$20,000 grant with matching \$2,000 funds from the library to digitize historical records in the museum and library relative to Central Normal College and Canterbury College. He stated this grant could continue annually for a period of five years and must be a cooperative effort by the museum, library and County and presented a proposal for services. Doug Morris stated they had planned to include these college records in the County process to digitize historic records, however, with this grant the State would be covering the cost rather than the County and it would be completed with the County IT Department equipment and within the County IT Department. John Parsons explained the process and the time frame. Ms. Tuceryan stated the State requires this to be a collaboration of the museum, library and Hendricks County and requested a letter of collaboration from the Commissioners to submit with the grant as the library would be making the application. It was the consensus of the Commissioners to approve the Proposal for Services to digitize and preserve the historical records of Central Normal College and Canterbury College and to provide a letter of collaboration to the Danville – Center Township Public Library.

There was discussion of advising the Council of this matter. It was the consensus of the Commissioners for John Parsons to also take the Proposal for Services on the collaboration to digitize historical records from Central Normal College and Canterbury College to the County Council meeting on February 10, 2011.

IN THE MATTER OF APPOINTMENTS - REDEVELOPMENT COMMISSION

It was noted the Commissioners during their January 11, 2011 meeting had requested Harold Hiser to check on members of the Redevelopment Commission. Mr. Hiser has advised he checked with Steve Denhart and Bruce McDaniel and both are willing to serve for another year. He also provided the names of I. E. Lewis, James Penner, Merlin Martin and D. J. Edmondson as possible replacements for Bob Brenneman, however, he has not checked if these individuals are willing to serve. The Commissioners requested for I. E. Lewis and D. J. Edmondson to be contacted if they would be willing to serve on the Redevelopment Commissioner and report back.

IN THE MATTER OF DRUG TASK FORCE

Commissioner Palmer announced Christy Patterson was on the agenda to present an updated report on the Drug

Task Force, however, we received a phone call that she has a matter that she must investigate this morning and requested to be continued to the next meeting. It was the consensus of the Commissioners to continue the report for the Drug Task Force to February 8, 2011.

IN THE MATTER OF SHERIFF’S CONTRACT

Auditor Cinda Kattau reported she had been contacted by Sheriff Dave Galloway that he has prepared a new contract and will be presenting this new contract to the Commissioners and Council.

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the Weights and Measures Monthly Report for December 15, 2010 to January 15, 2011 from Charles Colbert, Weights and Measures Inspector.

IN THE MATTER OF SAM PAUGH DEVELOPMENT – AMENDMENT

Receipt was acknowledged of a notice from Attorney Lee Comer, advising that San Paugh Development has made application to the Avon Plan Commission to amend the commitments regarding road improvements to CR 1050 E for the Sanders PUD.

IN THE MATTER OF TORT CLAIM – CHARLES WHITE

Receipt was acknowledged of a letter from GIE relative to the Tort Claim of Charles White advising Mr. White that his November 26, 2010 accident at the intersection of SR 267 and Stafford Road within the Town of Plainfield was on a State Road and the County has no jurisdiction over a State of Indiana maintained roadway.

IN THE MATTER OF COUNTY HISTORIAN

Receipt was acknowledged of the January 11, 201 letter from the Indiana Historical Bureau advising that John Parsons has been reappointed as the official Hendricks County Historian.

IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for January 3 to January 14, 2011 from James McBryant, Cypress Manor Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for January 10 thru January 21, 2011 from Ron Love, Human Resources Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for January 1 to January 7, 2011 and January 8 to January 14, 2011 from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF PLANNING & BUILDING

Receipt was acknowledged of the monthly Report of Collections for January 4, 2011 from Don Reitz, Planning Director.

Commissioner Gentry moved to adjourn the Commissioners’ meeting at 10:35 AM Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

Eric L. Wathen, President

Phyllis A. Palmer, Vice President

Bob Gentry, Member

ATTEST: _____
Judith Wyeth, Deputy Auditor

