

February 22, 2011

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, February 22, 2011 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:

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| Bob Gentry        | ) |   |
| Phyllis A. Palmer | ) | Hendricks County Board of Commissioners |
| Eric L. Wathen    | ) |   |
| Tyler Starkey     |   | Hendricks County Attorney               |
| Cinda Kattau      |   | Hendricks County Auditor                |
| Gail Brown        |   | Hendricks County Assessor               |
| John Ayers        |   | Hendricks County Engineer               |
| Michael E. Graham |   | Administrator to Commissioners          |
| Don Reitz         |   | Hendricks County Planning Director      |
| Dr. David Hadley  |   | Hendricks County Health Officer         |
| Doug Morris       |   | Hendricks County Systems Manager        |
| Kevin Cavanaugh   |   | Hendricks County Facilities Manager     |
| Judith Wyeth      |   | Secretary to the Commissioners          |

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

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IN THE MATTER OF MINUTES

Commissioner Palmer moved to approve the minutes of the February 8, 2011 meeting, as corrected. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Claims #217221 thru 217223, #217224 thru 217238, #217571 thru 217584, #217663 thru 217669, #217258 thru 217570, #098365 thru 098460 and Direct Deposit #066550 thru 066955, as presented. Commissioner Palmer 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 received word from Stan Graves with Veolia Water advising that the water line for Westpoint Business Park (Lauth) has been completed at Exit 59.

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IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers reported he had nothing new to report on the Ronald Reagan Parkway.

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IN THE MATTER OF ORDINANCE NO. 2011-06  
ZA 234/11: D & H FAMILY

Don Reitz presented ZA-234/11: an Amendment to PUD Ordinance, for D & H Family Limited Partnership (Clermont Lakes) for 53.9 acres in Lincoln Township, located on the north side of US Highway 136, approximately 0.33 mile west of Raceway Road. He also presented a proposed plan for the recreational facilities and use of this parcel. Mr. Reitz stated the Plan Commission held a public hearing on February 8, 2011 and sends this Zoning Amendment with a favorable recommendation of 7-0-0. There was discussion of the proposed activities and the time frame of these activities. Commissioner Gentry moved to approve ZA-234/11: D & H Family zoning amendment as Ordinance No. 2011-06, as recommended by the Plan Commission. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF ASSESSOR'S OFFICE - CONTRACTS

Assessor Gail Brown explained four reassessment contracts with the Nexus Group and stated we have been with the Nexus Group for over ten years for reassessment. Mike Graham clarified that Attorney Greg Steuerwald had reviewed these four contracts and made some changes and they are now ready for Commissioners consideration. Ms. Brown presented these four contracts as follows:

A Contract for Annual Adjustment & Related Duties for commercial and industrial property with the Nexus Group in the amount of \$29,500. Commissioner Gentry moved to approve the reassessment contract with Nexus for commercial and industrial property, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

A Contract for Annual Adjustments & Related Duties for residential property with the Nexus Group in the amount of \$29,500. Commissioner Gentry moved to approve the reassessment contract with Nexus for residential property, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

A Contract for Gross Rent Multiplier Determination (GRM) & Related Duties with the Nexus Group in the amount of \$7,500. Commissioner Gentry moved to approve the reassessment contract with Nexus for gross rent multiplier determination, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

A Contract for Land Value Re-Evaluation & Related Duties, for rental property with the Nexus Group in the amount of \$22,500. Commissioner Gentry moved to approve the contract with Nexus for land value re-evaluation, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF INSURANCE

John Parmley, HBG Wiggins, provided an update on the property damage and liability insurance conversion from the Stevenson-Jensen Agency to the HBG Wiggins Agency. He stated he has met with the department heads and their staff that have some involvement with claims including County Attorney Greg Steuerwald, County Engineer John Ayres, Facilities Manager Kevin Cavanaugh, Highway Superintendent Curt Higginbotham, Sheriff Dave Galloway and his staff, Parks Manager Bill Roche and Chief Animal Control Officer Mary Anne Lewis. He explained he has gone to the use of a computer spread sheet for vehicles and property inventories as this helps everyone to be on the same page and provides a format that can be easily reviewed and updated.

Mike Graham reported that John Parmley and representatives from One Beacon would like to provide a briefing for Department Heads on the range of services they can provide and requested approval to set up a meeting on March 9, 10, or 11, 2011. He explained the meeting would provide an overview of their services and then individual meetings could be held with a department head if they would like to use one of the services. It was the consensus of the Commissioners for Mike Graham to set up the training sessions with the department heads.

Mike Graham stated at the last Commissioners meeting he was directed to contact Mark Forsythe with Insurance Audit to determine if he would do a straight charge with no retainer. He presented a proposal from Insurance Audit to provide consulting service at \$250 per hour and explained the primary help Mr. Forsythe would provide is to review the insurance policies that will be provided by John Parmley. There was discussion that this proposal was only for the actual time needed. Commissioner Palmer moved to approve the Proposal for Ongoing Services with Insurance Audit in the amount of \$250 per hour for only the hours needed 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.

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## IN THE MATTER OF COMMUNICATIONS CENTER FUNDING

Mike Graham reported the two proposed legislative bills to create a dedicated funding source for the Communications Center are having problems. He explained one bill is authored by Senator Hershman and requires an 11 member state wide board to administer 911 funds with all funds going to the State and then be distributed to the local units of government, but would only allow one PSAP per County. He stated this bill is getting a committee hearing. Mr. Graham reported Representative Steuerwald has authored a bill to allow local units of government to establish a fee based on zoning districts to fund a consolidated dispatch center, however, it appears this bill will not get a hearing and we are currently asking for it to become a demonstration project. Mr. Graham advised that Representative Steuerwald's bill allows for local control and probably has no chance of succeeding and although the bills do not appear to have any life, the Steuerwald bill may end up being a pilot project for Hendricks County and Representative Steuerwald and Attorney Scott Chinn are trying to make it happen.

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## IN THE MATTER OF JAIL - CAMERAS

Mike Graham reported when he and John Parmley, HBG Wiggins, met with Sheriff Dave Galloway it was pointed out that one recommendation contained in the Sheriff's 2010 Annual Report was the need to upgrade and provide additional cameras at the jail. He explained cameras become an important security feature when there is a shortage of jail staff and stated Sheriff Galloway will be talking to the Commissioners about the need for funding to improve the security system at the jail.

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## IN THE MATTER OF EMPLOYEE INSURANCE - CLINIC

Mike Graham reported Jeff Fox, H. J. Spier, with the cooperation of Hendricks Regional Health and Unified Group Services has prepared a study to evaluate if there were any savings associated with the Clinic. He stated we did not anticipate any savings during the first couple of years due to set up costs and getting people comfortable with using the Clinic, however, the report shows that within only 8 months the County has saved \$22,432.89, which is very good news. Mr. Graham stated this report will be presented to the Insurance Committee on March 10, 2011. He also stated that our set up cost was dramatically reduced because of Hendricks Regional Health. There was discussion that the existing appointment hours are filling early and there may be need to extend the appointment hours. It was the consensus of the Commissioners for Commissioner Palmer to discuss additional appointment hours at the next Insurance Committee meeting.

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## IN THE MATTER OF FORMER DANVILLE TOWN HALL

John Ayers presented a contract from Andrew Hine with Arc Design for design of the Former Danville Town Hall with changes as recommended by Attorney Greg Steuerwald. He stated this contract is for only minimal design in this facility for the Prosecutor's staff and is in the amount of, not to exceed, \$9,500. There was discussion that a large part of the conversion of this building will be managed by the Engineering staff. Commissioner Palmer moved to approve the contract with Arc Design to provide design work in the recently purchased building and authorize the President to sign the contract on behalf of the Commissioners in the amount not to exceed \$9,500. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

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## IN THE MATTER OF CIVIL WAR DAYS

John Ayers responded to the Commissioners previous request regarding the cost to the County for the use of the Court House and grounds for the Civil War Days program on June 25 and 26, 2011 and stated they estimated \$500 in salary for a member of the Custodial Staff to be in the Court House for this event based on eight hours each day. + Kevin Cavanaugh expressed a need for a deputy to also be there during these two days in order to enforce any necessary control and to respond for any emergencies. There was discussion of this matter and the indication that the Museum would fund any necessary expenses incurred during the use of the Court House and grounds. Mr. Cavanaugh stated he and Gail Tharp, Museum President, will sit down and discuss these events. It was the consensus of the Commissioners for Mr. Cavanaugh and Ms. Tharp to discuss the planned activities, time frame and costs.

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## IN THE MATTER OF COURT HOUSE

John Ayers reported there was a large fan in the basement of the Court House that was possibly installed when the Court House was built, that was disassembled and removed from the Court House over the weekend due to some water issues. Kevin Cavanaugh reported that he had researched this large fan, which is approximately 100 years old, and while it may have some historical value it no longer serves a need in the Court House and has “no value” to the County. John Ayers suggested that the fan be donated to the Antique Tractor Association to use in the barn they are moving to the 4-H Fairgrounds. It was the consensus of the Commissioners for Mr. Ayers to check with the Hendricks County Antique Tractor Association if they could use this old fan.

Kevin Cavanaugh explained some repairs to the Court House to alleviate several plumbing and odor problems that have been completed and stated these issues have now been resolved.

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## IN THE MATTER OF VACUUM CLEANER

Kevin Cavanaugh requested to purchase a replacement of the double headed vacuum cleaner that is used to vacuum the halls in the Government Center with a new battery operated vacuum for the custodial staff. He explained they can purchase this replacement vacuum from Economy Plus for \$3,039 and stated with the battery operated vacuum the staff would not have to waste time with moving long cords. Commissioner Palmer moved to approve the request of Kevin Cavanaugh to purchase a battery operated vacuum cleaner in the amount of \$3,039. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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## IN THE MATTER OF SNOW REMOVAL

John Ayers reported they had calculated the cost for staff overtime, equipment and materials for the removal of ice and snow in the first week of February is over \$150,000. He stated they are now repairing and filling pot holes caused by this snow and ice. Mr. Ayers also acknowledged he had provided snow removal information to the press and they had relayed this information to the general public.

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## IN THE MATTER OF AIC LEGISLATIVE MEETING

John Ayers reported on his attendance at the Association of Counties (AIC) Legislative Meeting last week with State Legislators in Indianapolis and explained some draft legislation that could possibly affect County Governments.

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## IN THE MATTER OF CONTINUING DISCLOSURE FILINGS

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Auditor Cinda Kattau reported Greg Guerrettaz, Financial Solutions Group (FSG), has submitted an agreement for

Preparing Continuing Disclosure Filings in the amount of \$1,000 - \$2,000 and stated this is necessary for the County bond issues. There was discussion of this agreement. It was the consensus of the Commissioners for Mike Graham to check with FSG to verify if this is the same agreement as previous years and bring back for further consideration.

IN THE MATTER OF PLAINFIELD SCHOOLS - WAGE COMMITTEE

Commissioner Palmer stated at the February 8, 2010 meeting the Commissioners requested staff to contact one of the previous appointees for the Plainfield Schools Wage Committee, however, there was no response and staff was unsuccessful. Staff then sent an email to the Commissioners suggesting the appointment of Jud Wolfe, Plainfield Assistant Superintendent, to the Wage Committee for the replacement of the HVAC of the Plainfield Middle School. She stated the Commissioners approved this appointment by email, however, this appointment must now be ratified. Commissioner Gentry moved to approve the appointment of Judd Wolfe to the Plainfield Community Schools Wage Committee retroactive to February 14, 2011. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COUNTY WAGE COMMITTEE

It was noted that on February 14, 2011 a Common Wage Committee Hearing was held for the renovation of the second floor of the Convention & Visitors Bureau office on Main Street. Following the meeting John (Bud) Daum stated he had served on the County Wage Committee for several years and would like to resign and presented a resignation letter. It was also noted that the other members of the County Wage Committee are Bret Wathen and Karl Buetow. It was the consensus of the Commissioners to accept this resignation of John Daum on the County Wage Committee and to bring back names for consideration to fill this vacancy on the County Wage Committee.

IN THE MATTER OF REGIONAL WORKFORCE BOARD - APPOINTMENT

Commissioner Palmer presented a resume for Ken McCoy to serve on the Regional Workforce Board to replace Lori Priller, who resigned May 25, 2010. Commissioner Palmer moved to appoint Ken McCoy to serve as the Commissioners' appointee to the Regional Workforce Board. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. It was the consensus of the Commissioners for Commissioner Palmer to contact Mr. McCoy and the Regional Workforce Board of this appointment.

IN THE MATTER OF GIS

Mike Graham presented a contract for GIS Professional Services in the amount of \$15,150 for annual maintenance and annual support and \$4,000 for updates and project management for a total of \$19,150 from The Schneider Corporation. Mr. Graham stated Attorney Greg Steuerwald had reviewed and approved this contract. Commissioner Palmer moved to approve the GIS Professional Service contract with The Schneider Corporation in the amount of \$19,150, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SHERIFF'S 457b PLAN

Mike Graham reported on December 14, 2011 Sheriff Galloway requested to add the Morgan Stanley 457b plan for Sheriff's employees and requested a decision be made on this request. Auditor Cinda Kattau stated she had checked with auditors of other counties and found that some counties offer only the State START deferred Comp plan

to County employees, but other counties do offer more than one deferred comp program for their employees. She also stated there would be only payroll deduction time and would be minimal cost to the County. There was discussion of offering an additional plan to the employees of the Sheriff’s Department. Commissioner Gentry moved to accept the Morgan Stanley 457b plan for the Sheriff’s employees, only. Commissioner Wathen seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF APPOINTMENTS

An updated appointment list was presented following the appointments made at the January 11, 2011 and February 8, 2011 meetings. The list of boards, commissions and committees was reviewed and found there were two remaining appointments: A replacement was needed for Bob Brenneman on the Redevelopment Commission and a replacement for Dr. Nelson on the Hospital Association Bond Committee. It was the consensus of the Commissioners to bring some names of possible appointees to fill these vacancies.

IN THE MATTER OF CORRESPONDENCE

Commissioner Wathen acknowledged receipt of the following correspondence:

Correspondence:

- 1. Letter from Planning & Building relative to zoning violation of Diane Berry.
- 2. Notice from Doninger Tuohy & Bailey LLP of proposed Development Plan to add a drive for a drive through pick-up window at the existing Gas America Services, located on the northeast corner at SR 267 and CR 100N.
- 3. IDEM notice relative to sewer permit application from John C. Shelton to construct Shelton DPR in Hendricks County.
- 4. IDEM notice of sewer permit application from Mr. Mike Ekis, Avon Senior, LLC to allow applicant to Thornbury Village to construct in Avon Indiana.
- 5. IDEM notice of sewer permit form Mr. Tim D. Paino, Prime Ministries, Inc. for applicant to construct Indiana Trails in Avon, Indiana.
- 6. IDEM notice of sewer permit application from Mr. Russell M. Webb, Jr. WCC Equity Partners, LLC, to allow application to construct Woodcreek Crossing, Section VII in Avon, Indiana.
- 7. Letter from Natural Resource Conservation Services (NRCS) advising that Avon Automotive Park, Lot #4 – Andy Mohr Nissan, is subject to the new National Pollutants Discharge Elimination System.

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

- a. Checks received and signed to the county:

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|--------------------------------------|------------|
| Avenue Broadband Communications      | \$ 233.41  |
| Comcast Financial Agency Corporation | \$7,066.05 |
- b. Commissioner Wathen signed vehicle titles for the following: None
- c. Documents needing action: None

IN THE MATTER OF TORT CLAIM - HUMAN

Receipt was acknowledged of the February 7, 2011 notice from GIE to the Ken Nunn Law Office denying the tort claim of Valerie Human and Ronald L. Human for incident of October 17, 2010 at the intersection of Avon Village Parkway and US 36, within the Town of Avon and advising they refuse to make any voluntary payment on behalf of Hendricks County.

IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for January 31 to February 11, 2011 from James McBryant, Cypress Manor Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the February 7 – 18, 2011 Human Resources report from Ron Love, Human

Resources Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for January 29 to February 4, 2011 from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF PLANNING

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

IN THE MATTER OF WORK RELEASE

Receipt was acknowledged of the January 2011 statistics for Work Release from Bridgette Collins, Work Release Director.

IN THE MATTER OF NOISE ORDINANCE

Commissioner Wathen inquired the status of the Noise Ordinance. Attorney Tyler Starkey stated they are working on a draft ordinance, in fact they are working on two ordinances, and when completed they will be bringing them to the Commissioners for consideration. He stated they are trying to draft the ordinance so not to conflict with the noise restrictions in the Hendricks County Zoning Ordinance.

IN THE MATTER OF SOCIAL HOSTING ORDINANCE

Commissioner Gentry requested to bring to a future meeting the discussion of adopting a Social Hosting Ordinance in Hendricks County, as was discussed by Pittsboro Police Chief Christi Patterson at the February 8, 2011 meeting. It was the consensus of the Commissioners to discuss a Social Hosting Ordinance at a future meeting.

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 11:07 AM. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Eric L. Wathen, President

Phyllis A. Palmer, Vice President

Bob Gentry, Member

ATTEST: Judith Wyeth, Deputy Auditor

