

July 26, 2011

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, July 26, 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:

Bob Gentry)	
Phyllis A. Palmer)	Hendricks County Board of Commissioners
Eric L. Wathen)	
Gregory E. Steuerwald		Hendricks County Attorney
Cinda Kattau		Hendricks County Auditor
Dave Galloway		Hendricks County Sheriff
Steve Wagner		Hendricks County Chief Deputy
John Ayers		Hendricks County Engineer
James McBryant		Administrator Cypress Manor
Doug Morris		Hendricks County Systems Administrator
Judith Wyeth		Secretary to the Commissioners

Commissioner Wathen 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 July 12, 2011 meeting, as corrected. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve claims #221841 thru 221847, #221781 thru 221834, #222017 thru 222096, #222097 thru 222104, #222105 thru 222115, #099427 thru 099527 and Direct Deposit #071002 thru 074424, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers reported they were setting up a meeting with representatives from Plainfield and Avon on routing for the delivery of the beams for the bridge on the Ronald Reagan Parkway over the CSX tracks. He announced the beam setting is scheduled to begin August 15, 2011.

John Ayers advised he is working with Dennis Faulkenberg and Laurie Maudlin of Appian on making application for Tiger Grants for the Ronald Reagan Parkway.

IN THE MATTER OF HENDRICKS COUNTY NOISE CONTROL ORDINANCE

Commissioner Wathen announced a public hearing had been duly advertised for the Hendricks County Noise Control Ordinance at 9:30 AM and opened the Public Hearing at 9:35 AM.

Lori Lovely, Brownsburg, stated she has dogs that watch her livestock and when they bark at night due to danger to the livestock she has a neighbor that complains about the noisy barking and inquired on the draft Noise Ordinance on Section 5 Exemptions (H) the agricultural farming operations that were exempt. Sheriff Galloway stated he had talked with Ms. Lovely’s neighbor and this issue has been resolved and stated this ordinance is not related to barking dogs watching livestock. Greg Steuerwald clarified the sounds of farming operations that would be exempt.

Nick Schmutte, Avon, inquired how fireworks and gun fire would be controlled by this ordinance. Sheriff Galloway clarified the time frame of these activities and that fireworks would be covered under holidays. Sheriff Galloway also stated that there was State statute that covers the firing of guns.

Commissioner Gentry moved to close the public hearing. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. There was discussion of some concerns and suggested changes to this draft ordinance. Commissioner Gentry moved to table this proposed noise ordinance to the August 9, 2011 meeting. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Wathen thanked the citizens for bringing their concerns on this matter to this public hearing.

IN THE MATTER OF ORDINANCE
PROVIDING FOR LICENSING AND REGULATION OF DIRECT SELLERS

Commissioner Wathen announced a public hearing had been duly advertised for an Ordinance Providing for Licensing and Regulation of Direct Sellers and opened the Public Hearing at 9:50 AM.

Michael Callahan, Danville, stated he lives in Danville, but had concerns with door to door salesman and stated the Danville ordinance has a time for solicitors between the hours of 9 AM to 9 PM, which he felt was too late and encouraged the County to look at the time and enforcement of the hours they set. He also expressed concerns on the very low permit fees charged by and Town of Danville and questioned the County’s proposed permit fees and compared the proposed County ordinance to the Danville ordinance.

Nick Schmutte, Avon, questioned if political and religious organizations would be exceptions. Sheriff Galloway stated the ordinance will make these exempt.

There was discussion of the restrictions and exemptions. Commissioner Palmer moved to close the public hearing. Commissioner Gentry seconded the motion and the motion was approved unanimously. There was discussion of bond requirements, requiring one permit for each organization selling rather than a permit for each individual, clarification of those businesses that sell direct on a regular basis to customers in Hendricks County and the regulation of music from the neighborhood ice cream trucks. Commissioner Palmer moved to table the draft ordinance providing for licensing and regulation of direct sellers to a later date. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SHERIFF DEPARTMENT

Sheriff Dave Galloway introduced Paul E. Downing, Criminal Justice Specialist with DLZ, and Scott A. Carnegie, Senior Designer with DLZ, who presented the feasibility study of the security system upgrade stating the three priorities are security electronics, guard tour system and video visitation. Sheriff Galloway clarified how this security system would work and how it would provide better use of staff by efficiently monitoring activities. There was discussion of funding. Sheriff Galloway stated they will upgrade the phone system at no cost to the County and that this new phone system will actually save the County money. It was the consensus of the Commissioners for the Sheriff and Commissioners to talk to Council on funding this upgrade for the security system at the jail.

IN THE MATTER OF SHERIFF GRANTS

Deputy Gerald Woodward presented the Grant Agreement OTS-Fiscal Agent between the Indiana Criminal Justice Institute and the Hendricks County Sheriff’s Department effective for a period of 12 months from October 1, 2011 thru September 30, 2012 for the Governor’s Council on Impaired and Dangerous Driving in the amount of \$22,500. Commissioner Gentry moved to approve the Indiana Criminal Justice Institute Grant for the Sheriff 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.

Deputy Gerald Woodward presented the Operation Pull-Over Grant in the amount of \$12,500 and explained this grant covers overtime for deputies to patrol the County roads. Commissioner Palmer moved to approve the Operation Pull Over Grant and authorize the President to sign on behalf of the Commissioners. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF GREATER INDIANAPOLIS HEALTH & FITNESS EXPO

Pamela Powell-Warden came forward to request use of the Courthouse during the Greater Indianapolis Half Marathon. She explained they plan to have several health booths in the Courthouse Rotunda on Saturday, October 1, 2011 and referenced the Commissioners June 28, 2011 approval to close certain roads for their marathon on Sunday, October 2, 2011. Commissioner Wathen stated our insurance representative, John Parmley, has advised we need a Certificate of Insurance that lists the Commissioners as an additional insured and presented the insurance form for representatives of the Health & Fitness Expo to complete and return. Kevin Cavanaugh explained this is a joint venture with the Danville Chamber of Commerce, and the Hendricks County Visitors and Convention Bureau and stated he has talked with representatives of the marathon and the health expo and feels they can set up in the Courthouse without any problems. Commissioner Palmer moved that based on the recommendation of Kevin Cavanaugh to approve the request of the Indy Half Marathon for use of the Courthouse Rotunda on Saturday October 1, 2011 and the Half Marathon on Sunday, October 2, 2011. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Ms. Powell -Warden was given the necessary forms to complete for the use of the Courthouse.

IN THE MATTER OF CYPRESS MANOR

James McBryant presented four applications for residency at Cypress Manor and gave a brief history of each of these applicants: Lois Hardin, Beverly Richmond, Annette Louise Rodkey and Georgia R. Lewis., and gave a brief history of each individual. He stated he felt they would each be a good resident at Cypress Manor. Commissioner Palmer moved that based on the recommendation of Mr. McBryant to accept Lois Hardin, Beverly Richmond, Annette Louise Rodkey and Georgia R .Lewis as residents of Cypress Manor. Commissioners Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF DANVILLE CONSERVATION CLUB DAM

John Ayers presented Change Order No. 2 from Banning Engineering in the amount of \$4,400 for the Danville Conservation Club Dam. Joe Miller of Banning Engineering explained this change order is to identify and map any wetland areas or other “waters of the United Sates’ present at the approximate. 3 acres proposed dam rehabilitation area in Danville. Commissioner Palmer moved to approve Change Order #2 with Banning Engineering in the amount of \$4,400 for the Danville Conservation Club and authorize the President to sign on behalf of the Commissioners. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TELEPHONES

John Ayers presented a Job Scope with Clawson Communications in the amount of \$27,975 for Voice & Data Cabling at the new Prosecutor's Office. Kevin Cavanaugh explained these changes and stated they have funds available in the Engineering budget. Commissioner Gentry moved to approve Job Scope in the amount of \$27,975 with Clawson Communications. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PROSECUTOR'S OFFICE

John Ayers presented contracts for work in the new Prosecutor's Office from Landis Painting Company, Window One and R & M Electric along with a Hazardous Materials Statement for execution. Commissioner Gentry moved to accept and sign the contract for with Lands Painting for painting, Window One for windows and R & M Electric for electrical work for remodeling of the Prosecutor's Office and to sign the Hazardous Materials Statement, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Kevin Cavanaugh gave an update on the demolition of the interior of the former Danville Town Hall and reported on the conversion to the Prosecutor's Office stating they have started framing the walls for the dry wall and are making progress on this remodel.

Commissioner Palmer requested to tour the Courthouse before any plans or designs are started for use of the current Prosecutor's space in the Courthouse.

IN THE MATTER OF ENGINEERING

John Ayers advised he had purchased a small trailer for \$1,200 from the engineering budget for the grounds maintenance to pull behind their truck. He stated they plan to use this trailer to transport the mowers and other pieces of equipment, supplies and furniture to various County building sites. Mr. Ayers stated this trailer is titled to the Commissioners and presented the title for this trailer.

John Ayers announced the death of Randy Shambaugh from Huntington 's disease. He stated Randy was a former employee in the Engineering Department and was the son of Monte Shambaugh, also a former employee in the Engineering Department.

IN THE MATTER OF WAGE HEARING

John Ayers announced there would be a Common Wage Hearing at noon on Thursday, July 28, 2011 in the Government Center to establish a wage scale for Bridge No. 235, located on Stafford Road, crossing Clark's Creek in the Town of Plainfield, and for repair of the Danville Conservation Club Dam, located in the Town of Danville.

IN THE MATTER OF EDIT 2012 BUDGET

John Ayers explained some changes he will make in the 2012 EDIT budget and that he will make these changes before the budget hearing next month.

IN THE MATTER OF SR 267

John Ayers presented the July 22, 2011 letter sent to Bill Smith with the Crawfordsville District INDOT requesting an evaluation of the speed limits on SR 267 in Hendricks County between CR 350N and the B&O Trail crossing. He stated this area is currently posted 50 mph, however, with the increasing concentration of uses in that

area and especially the presence of the Trail 40 mph may be more appropriate.

IN THE MATTER OF MANFRED WALK – BOND

John Ayers announced they have received a settlement in lieu of bond forfeiture for Manfred Walk in the amount of \$22,000. It was the consensus of the Commissioners to place this in the Local Road and Street Fund.

IN THE MATTER OF SHILOH CREEK ESTATES

Commissioner Wathen advised he had received a citizen complaint regarding issues with the roads in Shiloh Creek Estates. John Ayers stated he will check on these roads and report back.

IN THE MATTER OF RACEWAY ROAD BRIDGE

Commissioner Wathen expressed concerns relative to the gutters on the Raceway Road Bridge over I-74. There was discussion of the design of these gutters. John Ayers will check and bring back a recommendation.

IN THE MATTER OF CR 350N

Commissioner Gentry inquired about the request of John Hardin relative to the box culvert on CR 350N. John Ayers explained some options to resolve this water issue. He will direct the Highway Department to make the necessary modifications.

IN THE MATTER OF ASSESSOR’S OFFICE – TABLE

John Ayers reported on May 10, 2011 the Commissioners approved the Assessor moving the PTABOA board to the office formerly occupied by the Center Township Trustee, approved the purchase of some equipment for the Assessor and to check on a table from the Engineering Department’s surplus equipment. He stated they have checked and found there is no table available. Engineering has obtained a quote for a graphite nebula laminate table from Outdoor in the amount of \$1,575 that will work in this new office space. There was discussion of this table. It was noted this table could be funded from the equipment line in the Commissioners’ budget and there are funds available, at this time. It was the consensus of the Commissioners to approve the purchase of this table for the PTABOA office in the amount of \$1,575 and to fund from the Commissioners equipment line.

IN THE MATTER OF COMPUTER DEPARTMENT

Doug Morris presented an email he had received requesting a new computer and printer for a new position in Child Support. He questioned if this was the way he would learn of additional positions and expressed concerns on how to plan his budget these unexpected additional expenses. He further explained he can purchase from his budget at this time. It was the consensus of the Commissioners to purchase the requested computer and printer from the Computer Budget.

Doug Morris presented a Service Agreement between the Computer Department and the Danville Public Library for scanning services and digitizing of the Central Normal - Canterbury College records. He explained some documents will be scanned using County equipment, they plan to have these documents completely scanned by April 2012 and this project will be totally funded by the Danville Public Library. Mr. Morris also stated a copy of this agreement has been faxed to Greg Steuerwald for his review and comments. Commissioner Palmer moved to approve and sign the service agreement between Hendricks County and the Danville Public Library for scanning of the Central Normal – Canterbury College records, as presented. Commissioner Gentry seconded the motion and

the motion was approved unanimously 3-0-0.

IN THE MATTER OF AT&T

Doug Morris presented a Master Agreement with AT&T with fee schedule and explained the portion that he has changed in the agreement is acceptable to AT&T and they will make these requested changes and return the revised contract. He stated this new agreement will save the County \$200 per month. Mr.. Morris gave a brief history of the internet line and explained he is requesting this two year contract rather than a three year contract as due to newer technology these internet lines will no longer be needed after two years. He requested the Commissioners to initial the portion of the contract that was marked and to sign the master Agreement. Commissioner Palmer moved to approve the Master Agreement with AT&T with fee schedule and authorize the President to initial the portion marked and sign the agreement on behalf of the Commissioners. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EMERGENCY PHONE SYSTEM 2012 BUDGET
AND WIRELESS EMERGENCY TELEPHONE 2012 BUDGET

Auditor Cinda Kattau presented the 2012 budget for the Emergency Phone System in the amount of \$1,575,000 and requested for the Commissioners to approve and execute this budget. Auditor Cinda Kattau also presented the 2012 Wireless Emergency Telephone in the amount of \$350,000 and requested for the Commissioners to approve and execute this budget. She explained both budgets. Commissioner Gentry moved to approve and sign the Emergency Phone System 2012 Budget and the Wireless Emergency Telephone 2012 Budget for 911, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MAXIMUS CONTRACT

Auditor Cinda Kattau stated they had not received the revised Maximus Contract for cost recovery and explained these changes had been requested several weeks ago and Maximus has agreed, however, when they sent the revised contract it did not contain the changes. Ms. Kattau stated the requested changes in the contract have all been made and she is awaiting the final revised contract. Attorney Greg Steuerwald explained the changes the County has requested in this contract. It was the consensus of the Commissioners to continue the Maximus contract to the August 9, 2011 meeting.

IN THE MATTER OF INSURNCE- ROSTERED VOLUNTEER ADDENDUM

Commissioner Wathen presented the Downey Agency IPEP (Indiana Public Employees Plan) renewal of PEP Member’s coverage which reduces the maximum amount of medical coverage for volunteers to \$25,000 for execution. He stated this worker’s comp policy is with the Stevenson Jensen Agency. Commissioner Palmer moved to approve the Rostered Volunteer Addendum IPEP renewal and authorize the President to sign on behalf of the Commissioners. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLARIAN WEST HOSPITAL

Commissioner Wathen read a letter announcing Clarian West becoming a not for profit health care facility.

IN THE MATTER OF COMMUNICATIONS

Commissioner Wathen reported the Governing Board of the Hendricks County Communications Center has

repealed their Resolution 11-01, which will eliminate the two tier services they had planned to offer to all entities.

IN THE MATTER OF TRANSFER

A transfer letter was presented to transfer \$500 from 1100-32600-000-135: Telephone to: 1100-31800-000-135: OSHA Mandates, from the Commissioners’ budget in order to keep the County first aid kits filled, as required by OSHA. Commissioner Wathen moved to approve the transfer letter as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF GIFT CARDS

Auditor Cinda Kattau stated some employees are receiving gift card from vendors as a rebate and inquired if she should write a policy on gift cards. She stated she is working with the State Board of Accounts on this matter. It was the consensus of the Commissioners for Ms. Kattau to wait until we receive more information from the State Board of Accounts.

IN THE MATTER OF ASSESSED VALUES

Auditor Cinda Kattau stated our 2011 assessed values may be a little late as the State changed their formula and her office may not meet the August 1, 2011 deadline for submitting these to the State. She stated they had everything ready and then at the last minute the DGLF made some changes, which caused the delay, but they will be sent in a timely manner.

IN THE MATTER OF TAX SALE

Auditor Cinda Kattau reported last week the Auditor’s Office sent out 350 notices for the October 3, 2011 Tax Sale

IN THE MATTER OF CORRESPONDENCE

Commissioner Wathen acknowledged receipt of the following correspondence:
Correspondence:

- 1. IDEM notice of permit application with plans and specifications for sanitary sewer at Bersot Crossing, Section 3B in Brownsburg, IN.

Action needed/taken on the following:

- | | |
|---|--|
| 1. Checks received and signed to the county: | \$ 948 Sheriff vehicle repair due to accident
\$ 300 US Govt. Rokita Monthly Office Rent
\$ 3,639 ADESA for 2005 Ford Taurus
\$ 2,400 ADESA for 2005 Chevy Impala |
| 2. Commissioner Wathen signed vehicle titles for the following: | 2006 Chevy – Sheriff fleet |
| 3. Documents needing action: | None |

IN THE MATTER OF BUDGET HEARING

Commissioner Wathen announced the Commissioners budget hearing for their 2012 budget has been scheduled for Wednesday, August 10, 2011 at 3:20 PM.

IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for July 4 through July 15, 2011 from James McBryant, Cypress Manor Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the July 11 through July 22, 2011 Human Resources report from Ron Love,
Human Resources Director.

IN THE MATTER OF WORK RELEASE

Receipt was acknowledged of the Work Release Stats for June 2011 from Bridgette Collins, Work Release
Director.

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the June 16 to July 15, 2011 Weights and measures Monthly Report from Charles
Colbert, Weights and Measures Inspector.

IN THE MATTER OF PLANNING

Receipt was acknowledged of the July 12, 2011 Report of Collections for the Planning and Building Department
from Don Reitz, Planning Director

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 11:50 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
