

October 25, 2011

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Tuesday, October 25, 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
David Gaston		Hendricks County Surveyor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Don Reitz		Hendricks County Planning Director
James McBryant		Director Cypress Manor
Doug Morris		Hendricks County Systems Administrator
Kevin Cavanaugh		Hendricks County Facilities Manager
David Warren		Hendricks County Emergency Management Director
Judith Wyeth		Secretary to the Commissioners

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

IN THE MATTER OF BIDS FOR HIGHWAY 2012 SUPPLIES

Commissioner Wathen stated bids for Highway 2012 supplies had been duly advertised for 9:30 AM this date, October 25, 2011. Commissioner Palmer moved to close bids for 2012 Highway supplies at 9:32 AM.

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

John Ayers acknowledged receipt of bids from the following vendors: Pinkerton Fuel, Co Alliance, 243 Quarry, Lincoln Park Stone, US Aggregates, Asphalt, HD Supply, Reith Reilly Construction, Milestone, Jackson Oil, Metal Culverts, Petroleum Traders, Martin Marietta, St. Regis and CPI Supply. He also stated quotes had been received from Hall Signs, Stello Products and Highway Technologies for sign materials. Mr. Ayers asked if there was anyone in the audience that had submitted a bid that was not read. There was no comment. Commissioner Wathen stated the bids would be opened across the hall in Room #4-5 by County Engineer John Ayers and Highway Superintendent Curt Higginbotham and invited all interested parties to move to that location for the opening of the bids. He also stated that staff would review all bids and bring back a recommendation to the November 8, 2011 meeting.

IN THE MATTER OF MINUTES

Commissioner Palmer moved to approve the minutes of the October 11, 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 #223725 thru 223988, #223289 thru 224008, #224009 thru 224018, #224024 thru 224027, #224038 thru 224056. #224060 thru 224341 , #224342 thru 224356, #224376 thru 224390, #100101 thru 100183, and Direct Deposit #073837 thru 074235, 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 the contractor is currently doing the first of three pours of the deck on the bridge on the Ronald Reagan Parkway over the CSX tracks.

John Ayers presented a letter recommended by Laurie Maudlin, Appian, to the US Department of Transportation

requesting consideration of the TIGER grant funding for the Ronald Reagan Parkway from CR 300N to US Highway 136. Commissioner Palmer moved to approve and sign the letter for TIGER grant funding for the Ronald Reagan Parkway, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers advised that Mike Graham, Steve Maxwell, Jim Andrews and he had met with representatives from Plainfield,. Avon, the MPO (Metropolitan Planning Organization) and the Federal Highway Administration to discuss the Ronald Reagan Parkway from CR 100S to CR 200S. He stated the MPO advised they can release funds for the Ronald Reagan Parkway in 2012 rather than 2014. Mr. Ayers explained the right-of-way acquisition for the Parkway and stated there may be some parcels that may require condemnation.

Mike Graham reported Brownsburg has initiated a planning study to look at development recommendation at the Ronald Reagan and I-74 interchange and the Commissioners have received an invitation to participate in the workshop. He explained a Commissioner can attend or they can ask a staff member(s) to attend on their behalf. Mr. Graham stated the first meeting is November 2, 2011 at 6:30 p.m. at the Brownsburg Town Hall. Commissioner Wathen stated he plans to attend this meeting/workshop.

Receipt was acknowledged of the Appian October 15, 2011 report for the Ronald Reagan Parkway from Dennis Faulkenberg and Laurie Maudlin.

IN THE MATTER OF RECOGNITION BARTLETT CHAPEL METHODIST CHURCH

Commissioner Palmer announced the Recognition Committee, Treasurer Nancy Marsh, County Engineer John Ayers, Human Resources Director Ron Love, Administrator to the Commissioners Mike Graham and herself, were recognizing the Christian Builders Class of Bartlett Chapel United Methodist Church in Danville for their volunteer work at Cypress Manor. She stated they have decorated the Men’s Lounge, Ladies Lounge and Activity Room and also worked tirelessly on the renovation of the Old Cell Building. They logged well over 300 hours of volunteer time and in addition to the recorded time; they have spent many hours locating furnishings, draperies and floor coverings for these areas and in some cases even paid for those items. Ms. Palmer commended this class for demonstrating an exceptional community spirit by cooperating with direction from the Hendricks County Engineering Department, coordinating the use of furniture being replaced by the Plainfield Public Library and involving a volunteer crew from Kingsway Christian Church and a Youth Group from Bartlett Chapel in some of the work. A certificate was presented to the six members of the Christian Builders Class in attendance and it was noted there will be a name plate placed on the large plaque in the Government Center recognizing Business and Organizations Making a Difference in Hendricks County.

IN THE MATTER OF AIC SCHOLARSHIP – CLAYTON STOUTENOUR

Dave Bottorff, Executive Director Association of Indiana Counties (AIC) recognized Clayton Stoutenour, son of Clint Stoutenour of the Engineering Department, and Tina Stoutenour, Deputy Assessor, as the winner of one of four scholarships presented by AIC. Tim Kirschbarger, SRI, presented Mr. & Mrs. Stoutenour with a \$500 scholarship for Clayton Stoutenour to Rose Hulman. Mr. Bottorff stated these scholarships are awarded to the

children of County employees that are entering as college freshmen and they were doubly pleased to present this to a student with both parents working for the County.

IN THE MATTER OF ORDINANCE NO. 2011-23
ZA 408/11: JAMES E. MURRAY

Don Reitz presented ZA-408/11: James E. Murray, a request for a zoning amendment change from RS/ Single Family Residential District to NE/Neighborhood Business District, 1.0 acre, in Washington Township, located on the west side of Raceway Road approximately 0.42 miles north of US Highway 36. Mr. Reitz stated the Plan Commission held a public hearing on October 11, 2011 and sends this zoning change with a favorable recommendation of 5-2-0. He stated they did have a few remonstrators at the public hearing. Commissioner Wathen stated the public hearing was held at the Plan Commission, however, if anyone was interested on speaking he would allow them a few minutes to speak.

Attorney Laurence Wheatley stated he represented Mary Ann Scott, a neighbor to the south of this property who opposed this rezoning. He expressed her safety concerns of semis coming and going at all hours day and night and of commercial activity coming into a residential area. He stated they had presented to the Plan Commission a petition signed by 19 of the 26 neighbors in the area opposing this rezoning.

Attorney Andy Kult representing the petitioner, explained the type of activity, stated they have changed the operations on this property to be in compliance and there is currently no outdoor storage or spray painting. Mr. Kult stated an adjoining neighbor had submitted a letter of support for this rezoning.

Commissioner Wathen explained he sits on the Plan Commission and gave reason for his vote in support of this rezoning. There was discussion of the changes the petitioner had made to remove all outside storage and spray painting in order to be in compliance. Commissioner Gentry moved to approve ZA-408/11: Murray zoning request as recommended by the Plan Commission as Ordinance 2011-23. Commissioner Palmer seconded the motion and requested for the Planning and Building Department to monitor activities at this location. The motion was approved unanimously 3-0-0. Commissioner Wathen stated Mr. Murray had complied with all conditions and encouraged him to be a good neighbor.

IN THE MATTER OF CICOA

Dave Sander came forward to make a brief presentation on CICOA (Central Indiana Council on Aging) “Lifelong Living” Communities on aging and in-home solutions and to give a history of this organization since 1974. Duane Etienne presented handouts along with a draft resolution for consideration. There was discussion of their promotion of designing communities to reflect the needs of an aging population and of the draft resolution in support of this concept. The Commissioners took no action.

IN THE MATTER OF SHELTERING WINGS

Maria Larrison, Executive Director Sheltering Wings, stated Sheltering Wings had received funding of \$10,000 from the County for several years and she had just recently been informed that their funding was cut from the 2011 budget. She explained she requested this \$10,300 be included in both the 2011 and 2012 budgets at the Council’s October 13, 2011 meeting and was directed to come before the Commissioners’ as it would be in their budget. Ms.

Larrison stated this funding was for the children’s program at Sheltering Wings and without this funding the children’s program would be cut. Auditor Cinda Kattau reported this \$10,000 for Sheltering Wings was in the Prosecutor’s budget and Prosecutor Pat Baldwin was at the Council meeting and stated she cut this from her 2011budget when the Council requested for all departments to reduce their 2011 budgets. Commissioner Gentry clarified that these funds would be used only for children’s programs. There was discussion of funding the \$10,000 from the Commissioners budget. Commissioner Palmer made a motion to send a letter to the Council stating the Commissioners were supportive of \$10,000 for the children’s programs at Sheltering Wings and request additional funding of \$10,000 in both the 2011 and 2012 Commissioners’ budget for the Sheltering Wings children’s programs. Commissioner Gentry seconded the motion. There was discussion that there may be sufficient funds available in the Commissioners’ 2011 budget to fund this program for Sheltering Wings for 2011. The motion was approved unanimously 3-0-0. It was the consensus of the Commissioners to transfer funds from a 2011 account to pay the 2011 contribution to Sheltering Wings.

IN THE MATTER OF EMERGENCY MANAGEMENT

Dave Warren presented the Hendricks County Comprehensive Emergency Management Plan for execution. Lise’ Crouch, Emergency Management, explained they have been working on this plan for two years and that it would be a living document that would be reviewed and updated every two years. Commissioner Wathen moved to adopt the Hendricks County Comprehensive Emergency Management Plan, as presented, and to make the effective date of this plan today, October 25, 2011. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MASS PROPHYLAXIS DISPENSARY

Sarah Thompson, Public Health Preparedness Coordinator, presented the Mass Prophylaxis Dispensary Memorandum of Understanding. She explained the Hendricks County Government Center could serve as an alternate local dispensing site for the Strategic National Stockpile (SNS) in the event that the stockpile is required to address a large-scale communicable disease outbreak or bioterrorism event. Commissioner Palmer moved to approve and adopt the Mass Prophylaxis Dispensary Memorandum of Understanding, as presented, and to authorize the President on sign on behalf of the Commissioners. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF VETERANS AFFAIRS

Receipt was acknowledged of a request from Lori Turpin, Veterans Service Director for use of the Courthouse Rotunda for a Veteran’s Memorial Program on Veteran’s Day, Friday, November 11, 2011, at 11:00 AM. It was noted that all County offices will be closed that day. Commissioner Palmer moved to approve use of the Courthouse Rotunda for a Veterans’ Day service on November 11, 2011 as Ms. Turpin always has a very patriotic remembrance program honoring those who have served and sacrificed. Commissioner Gentry seconded the motion and the motion was approved unanimously. Commissioner Palmer encouraged everyone to attend this program.

IN THE MATTER OF COLLEGE NETWORK

Commissioner Palmer presented an award that was presented to Hendricks County Government as an Education

Advocate for their support of the Hendricks County College Network. She stated this was presented during the annual meeting of the Hendricks County College Network to Council Members Larry Hesson and Dick Thompson. The award will be placed in the display case in the Government Center.

IN THE MATTER OF SRI - AMENDMENT

Auditor Cinda Kattau presented the First Amendment to the SRI Service Master Agreement and explained this is the company that handles the County tax sale. She stated this amendment is required due to legislative changes and SRI is adding the required Paragraph 18 to the SRI Services Master Agreement that was signed April 6, 2010. She also stated this amendment has been sent to Greg Steuerwald for his review. Commissioner Gentry moved to approve and execute the First Amendment to the SRI Service Master Agreement, as recommended by the County Auditor. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF DANVILLE CHRISTIAN CHURCH - PARKING

Receipt was acknowledged of a telephone call and an email from Rev. Donald Campbell of the Danville Christian Church requesting approval for the members of the Danville Christian Church to continue using the Courthouse Annex parking lots on the corner of US 36 and Cross Street for their regular Sunday services, evening services and special events as they have for many years. Rev. Campbell stated they will not need use of the parking lots during regular County working hours of 8 AM to 4 PM on Monday thru Friday. John Ayers stated he would prefer they not park on the lots during construction and that they could after the construction trailers and dumpsters have been removed from these lots. Commissioner Gentry moved to approve for members of the Christian Church to use the parking lots at the Courthouse Annex on US Hwy 36 and Cross Street after construction is completed on the Courthouse Annex. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MPO

John Ayers presented the resolution form the Indianapolis Regional Transportation Council (IRTC) Policy Committee, A Resolution Supporting Enabling Legislation for Authority to Conduct Referendums to dedicate Local Revenue to Transit and Transportation Alternatives, He stated this resolution is to be presented to the 2012 Legislative Session. Lesa Ternet, Planning Department, is the County representative to the MPO Policy Committee and requested direction on the vote that would be held on November 9, 2011. There was discussion of this resolution. It was the consensus of the Commissioners that they could not support this resolution presented by the MPO.

IN THE MATTER OF TRASH DISPOSAL

Kevin Cavanaugh presented a quote for combining several of the County trash dumpsters into central locations that would save the County considerable money on the regular trash pick-ups. Commissioner Gentry moved to approve the combining of trash pickup locations in order to save the County money, as presented by the Facilities Manager. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COURTHOUSE ANNEX

Kevin Cavanaugh stated the County Council did not favor hiring another person to do the cleaning of the Courthouse Annex and preferred to hire a cleaning service. He stated the Courthouse Custodial Staff will do

daytime maintenance. Mr. Cavanaugh presented the following quotes for cleaning services:

D-One Restoration	\$20,220	Jack Laurie Commercial Floors	\$33,800
-------------------	----------	-------------------------------	----------

Commissioner Gentry moved to accept the proposal from D-One Restoration to clean the Courthouse Annex as the lowest proposal received subject to the contract being reviewed by Greg Steuerwald. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EQUIPMENT

Kevin Cavanaugh requested to replace the County maintenance lift as this lift is no longer safe for staff to use. He presented the following quotes for a new maintenance lift, a JLG 20 AM-AC Vertical Lift:

MSRP	\$7,700	Grainger	(\$5,600 (New)
MacAllister	\$7,000 New \$3,699 (Used 2008)		

Commissioner Gentry moved to approve the purchase of a replacement maintenance lift, not to exceed \$5,600. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF WAGE HEARING

John Ayers announced there would be a County Common Wage Hearing on Wednesday, October 26, 2011 for repair of Bridge No. 235 and repair of the Danville Conservation Club dam. The meeting will be held at noon in the Government Center.

IN THE MATTER OF BRIDGE NO. 235

John Ayers presented a Notice to Bidders for repair of Bridge No. 235, located on Stafford Road over Clarks Ditch in Guilford Township, and explained the proposed repair work to this bridge. He requested to send the Notice to Bidders for bid opening on November 22, 2011. Commissioner Gentry moved to approve, sign and send the Notice to Bidders for Bridge No. 235 for bridge opening on November 22, 2011. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIDGE NO. 272

John Ayers announced he will be meeting with engineers to discuss design plans for Bridge No. 272, located on CR 525S over the CSX tracks.

IN THE MATTER OF RACEWAY ROAD

John Ayers advised they are still reviewing the proposals for the Raceway Road curve correction.

IN THE MATTER OF B&O TRAIL

John Ayers stated they are working with CSX on a purchase agreement for the B&O Trail.

IN THE MATATER OF REZONING

John Ayers reported the Plainfield Plan Commission had approved the Denison rezoning request contingent on the Memorandum of Understanding (MOU). Mr. Ayers stated he has sent a letter with commitments regarding CR 825E to be added to the MOU.

IN THE MATTER OF CR 100S

Commissioner Palmer stated CR 100S was one of the roads on the initial list for paving that was later removed from the list due to lack of funds. She stated this road has been patched, but requested John Ayers to check on this road as she felt it could be improved as there was a lot of loose stone.

IN THE MATTER OF COMMISSIONER DISTRICTS

Mike Graham stated there needs to be a determination about establishing Commissioners Districts. With the release of 2010 Census information there is a significant population imbalance between the existing districts and a balance in the population cannot be achieved without adding an eastern township or a portion of an eastern township to District 1. One of the goals of the current districts is to try and achieve a balance between the primarily urban community on the east and the more rural community on the west. The goal of providing the opportunity for a rural voice on the Board of Commissioners is in conflict with the goal of achieving a population balance. He stated he has talked to Laura Herzog in Voters Registration about the importance of having a balanced population in each of the Commissioners Districts and she advised that there is no population police at the State that reviews the population balance in Commissioners' districts. To adjust or not to adjust the Commissioners Districts is based upon what goal you find more important. Mr. Graham asked if the Commissioners primary goal to have each district with a balanced population number or is it to try to provide balance between the rural and urban communities and if they think the balance between communities is most important they may not want to adjust the district boundaries. He also stated we need to check with Greg Steuerwald to see if he agrees with Mr. Herzog about not having a population police at the State and that he has asked Mr. Steuerwald to begin looking into the requirements governing a population balance by Commissioner Districts. It was the consensus of the Commissioners to wait until Greg Steuerwald reviews the statute and brings back a report on the questions about redistricting the Commissioners' districts.

IN THE MATTER OF COMPUTER FIBER

Mike Graham referenced the presentations on computer fiber from Connexities and LightBound at the October 11, 2011 meeting. He stated Doug Morris and he need to wait until the November 8, 2011 meeting to provide a recommendation as they need more time to develop a recommendation.

IN THE MATTER OF DANVILLE CONSERVATION CLUB

Surveyor Dave Gaston explained they will create a legal drain for the Danville Conservation Club Dam and will need a petition from the surrounding homeowners.

IN THE MATTER OF TRANSFER

A transfer letter to Auditor Cinda Kattau was presented to transfer \$789 from 1001-35600-000-135: Liability to 1001-39300-000-135: Dues and Memberships in order to fund annual memberships to AIC, IACC and NACO. Commissioner Palmer moved to approve the transfer and sign the transfer letter, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TORT CLAIM - GORDON

Receipt was acknowledged of an Amended Notice of Tort Claim of Dallas Gordon, a minor, for injuries at the Plainfield Community Middle School, on March 19, 2011. It was noted the original Tort Claim for Dallas Gordon was received in September 2011 and was scanned to Greg Steuerwald and OneBeacon. OneBeacon promptly sent a denial letter as this was not within Hendricks County jurisdiction. This amended notice has been scanned to both Greg Steuerwald and John Parmley.

IN THE MATTER OF CORRESPONDENCE

Commissioner Wathen acknowledged receipt of the following correspondence:

Correspondence:

- 1. Cummins Behavioral Health System Annual Meeting Announcement for October 27, 2011 and minutes of their September 22, 2011 meeting.
- 2. IDEM notice the Indiana Department of Environmental Management office of Water Quality, Facility Construction Section has received two sanitary sewer permit application on October 13, 2011 from Mr. Richard Henderson, Grand Communities. They state if approved by IDEM the permit would allow the applicant to construct Bluewood Section 6B and Bluewood, Section 6C in Avon.

Action needed/taken on the following:

- | | |
|---|-----------------------------------|
| 1. Checks received and signed to the county: | \$300.0 US Govt for Rokita office |
| 2. Commissioner Wathen signed vehicle titles for the following: | None |
| 3. Documents needing action: | None |

IN THE MATTER OF SHERIFF DEPARTMENT

Receipt was acknowledged of the most recent jail inspection report from the Indiana Department of Corrections dated October 6, 2011 from Sheriff Dave Galloway.

IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for October 10 to October 21, 2011 from James McBryant, Cypress Manor Director.

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the September 15 to October 15, 2011 Weights and Measures Monthly Report from Charles Colbert, Weights and Measures Inspector.

IN THE MATTER OF WORK RELEASE

Receipt was acknowledged of the September 2011 Statistics for the Work Release including the weekenders from Bridgette Collins, Work Release Director.

IN THE MATTER OF HIGHWAY

John Ayers reported a law suit in the amount of \$6,000 had been filed against the Highway Department in Small Claims for loose gravel on a County road and our insurance carrier plans to oppose this legal action.

Receipt was acknowledge of the September 26 thru September 30, 2011, October 3 thru October 7, and October 11 thru October 14, 2011 weekly Highway reports from Curt Higginbotham, Highway Superintendent,

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for October 12 thru October 21, 2011 from Ron Love, Human Resources Director.

Commissioner Gentry moved to adjourn the Commissioners' meeting at 11:42 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Eric L. Wathen, President

Phyllis A. Palmer, Vice President

ATTEST: _____
Judith Wyeth, Deputy Auditor

Bob Gentry, Member