

November 22, 2011

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

Bob Gentry)	
Phyllis A. Palmer)	Hendricks County Board of Commissioners
Eric L. Wathen)	
Cinda Kattau		Hendricks County Auditor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Doug Morris		Hendricks County Systems Administrator
Don Reitz		Hendricks County Planning Director
Ron Love		Hendricks County Human Resources 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

Commissioner Wathen announced the Notice to Bidders for Bridge No. 235, located on Stafford Road over Clarks Creek in Guilford Township, was duly advertised for bid opening at 9:30 AM on this date in the Commissioners’ Meeting Room. Commissioner Gentry moved to close bids at 9:32 AM for Bridge No. 235 and accept those received. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. John Ayers opened and read the following bids

George R. Harvey & Son, Inc.	\$181,908.39
HIS Contractors, LLC	\$287,600.00

John Ayers stated his staff will review these bids and bring a recommendation to the December 13, 2011 Commissioners’ meeting.

IN THE MATTER OF MINUTES

Commissioner Palmer moved to approve the minutes of the November 8, 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 #100273 thru 100363 and Direct Deposit #074657 thru 075074, 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 has completed the third pouring of the deck on the bridge on the Ronald Reagan Parkway over the CSX tracks.

John Ayers stated they have made offers to property owners along the Ronald Reagan Parkway from CR 100S to CR 200S and the property owners have 30 days to respond to the offer for right-of-way. He explained there are 9 parcels of right-of-way needed for the Ronald Reagan Parkway in this segment.

John Ayers stated they have applied for TIGER grants to fund construction of the Ronald Reagan Parkway between CR 300N and US Hwy 136.

IN THE MATTER OF ORODINANCE NO. 2011-26
ZA 254/11 ED AND H LLC AMENDMENT SPORTS CENTER

Don Reitz presented ZA 254/11 Ed and H. LLC (Amendment to PUD Ordinance, Hendricks County Sports

Center) and explained this is an amendment to a previously approved PUD Ordinance for 66.61 acres in Lincoln Township, located on the north side of US Hwy 136, approximately 0.38 mile west of Raceway Road. Mr. Reitz stated the Plan Commission held a public hearing for this zoning amendment on November 8, 2011 and sends this rezoning with a favorable recommendation of 6-0-0. Commissioner Gentry moved to approve ZA 254/11 an amendment to the PUD for the Hendricks County Sport Center as recommended by the Plan Commission as Ordinance No. 2011-26. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ORDINANCE NO. 2011-27
ZA 409/11: NORTH SALEM STATE BANK

Don Reitz presented ZA-409/11: North Salem State Bank, for a zoning change from RB/ Single Family Residential District to NB/Neighborhood Business District for 0.69 acre in Eel River Township, located between North Main Street and North Broadway Street, approximately 130 feet north of West Pearl Street in the Town of North Salem. Mr. Reitz stated the Plan Commission held a public hearing on November 8, 2011 for this zoning amendment and sends this with a favorable recommendation of 6-0-0. Commissioner Gentry moved to approve ZA 409/11: North Salem State Bank, as recommended by the Plan Commission as Ordinance No. 2011-27. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CIVIL WAR DAYS

Receipt was acknowledged of an email form Gail Tharp, President Hendricks County Museum Board, requesting to continue their request to again use County facilities to host another Civil War Heritage Days on June 23 and June 24, 2012 as she will be unable to attend the meeting today. It was the consensus of the Commissioners to continue the request to the December 13, 2011 Commissioners' meeting.

IN THE MATTER OF B&O TRAIL

John Ayers reported the B&O Trail had received a \$1,000,000 Federal grant for the portion of the trail west of SR 267 and stated this will be an 80%/20% funded project. He also explained that this will be at no cost to the County as the County is a pass through agency for the trail. Joel Stevens, Operations Director and Landscape Architect with Storrow Kinsella Associates, presented an LPA Consulting Contract in the amount of \$243,741 and described the B&O Trail Phase 3 and bridge from SR 267 to 1,000 feet west of White Lick Creek. He also stated. He also stated they are working with INDOT for a safety crossing on SR 267 and are planning an equestrian trail on this portion of the B&O Trail. Diana Virgil, President B&O Trail, explained there is excessive dumping on CSX property being purchased for the trail between CR 500N and CR 550E that needs to be cleaned up. There was discussion of funding this clean up with the Solid Waste Special Projects Fund. Ms. Virgil reported on the mural in the tunnel and stated there has been no graffiti since the mural was painted. Commissioner Palmer moved to approve and execute the contract with Storrow Kinsella Associates for the B&O Trail in the amount of \$243,741, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF DONNELLY HEIGHTS

Hall Virgil, Brownsburg, explained culvert problems in Donnelly Heights that is causing drainage issues. John

Ayers responded to his concerns.

IN THE MATTER OF JO ANN GROVES

President Wathen announced JoAnn Groves had advised she no longer wanted to serve on the Plan Commission and has requested not to be reappointed to serve as the Commissioners’ appointee on the Area Plan Commission. He stated she has served on the Plan Commission for 22 years and is also the Plan Commission appointee to the Board of Zoning Appeals (BZA) where she has served for 21 years. Commissioner Wathen requested for the Recognition Committee to look at recognizing Ms. Groves in some manner. It was the consensus of the Commissioners to request the Recognition Committee look at recognizing Ms. Groves for her dedicated service to Hendricks County and to begin looking at a replacement appointment for Ms. Groves on the Plan Commission.

IN THE MATTER OF RESOLUTION NO. 11-06
LIFE LONG LIVING COMMUNITY

Mike Graham presented a draft Resolution for Life Long Living Community that was requested by representatives of CICOA (Central Indiana Council on Aging) at their presentation on November 8, 2011. There was discussion of this resolution. Commissioner Gentry moved to adopt and sign the Resolution for Life Long Living Community as Resolution No. 11-06. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF AVON/WASHINGTON TOWNSHIP LIBRARY - APPOINTMENT

Receipt was acknowledged of the November 2, 2011 letter from Laurel T. Setser, Director Avon-Washington Township Public Library, requesting an appointment to the Library Board to replace Celisa Snyder as she is moving out of the area. Her letter recommended Mr. Geoffrey Bradley to serve in this position for a four year term through December 31, 2015. Commissioner Palmer moved to appoint Geoffrey Bradley to serve on the Avon/Washington Township Public Library Board beginning January 1, 2012 through December 31, 2015. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BROWNSBURG WAGE COMMITTEE

Receipt was acknowledged of a letter from Darren S. Wells, Project Manager for GRW Engineers, advising of a project on behalf of the Town of Brownsburg Parks and Recreation Department that needs a representative appointed to serve on the Common Wage Committee for this vehicle maintenance building complete with offices and garage area with all related site, structural, architectural, mechanical HVAC, plumbing, electrical and instrumentation work. It was noted on September 27, 2011 the Commissioners appointed Kendall Hendricks of Brownsburg to serve on a Wage Committee for a Brownsburg Community School project. Commissioner Gentry moved to appoint Kendall Hendricks of Brownsburg to serve on the Common Wage Committee for this project of the Brownsburg Parks and Recreation Department. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF 2012 MEETINGS

There was discussion of the time and date for the 2012 Drainage Board meetings, Commissioners’ meetings, Regional Sewer Board meetings and Solid Waste meetings. It was the consensus of the Commissioners to finalize the date and time of these meetings at the December 13, 2011 meeting.

IN THE MATTER OF VEHICLE POLICY

Mike Graham stated he had made two changes from the draft Vehicle Policy that was distributed at the last meeting. He explained the first change deals with family members riding in a County vehicle and family members are now considered as authorized passengers. He also stated they have added the warning about medical coverage. Mr. Graham stated he also revised the accident reporting procedures. Mr. Graham stated the old procedures have been modified with some added minor revisions and presented the most current draft for consideration of adoption. There was discussion of adding that employees driving County vehicles while intoxicated would be immediately terminated. There was discussion of the policy. It was the consensus of the Commissioners for Mike Graham to make all necessary changes and bring the signature page for the Vehicle Policy to the December 13, 2011 meeting.

IN THE MATTER OF MPO

Commissioner Wathen reported on the MPO (Metropolitan Planning Organization) Transit Funding. John Ayers stated at the recent MPO Policy Committee meeting Hendricks County was the only NO vote on a Resolution from the MPO regarding a transit funding referendum.

John Ayers explained an Alternative Resolution Transit Funding. There was discussion of establishing a resolution for transit funding. It was the consensus of the Commissioners for John Ayers to work on a transit funding resolution and bring to the next meeting. There was also discussion of the opportunity to put the funding issue on the ballot.

IN THE MATTER OF BRIDGE NO. 235

John Ayers reported our on-call construction inspection contract for bridges is with Crawford, Murphy and Tilly (CMT) and they have provided a proposal for inspections and permit fees in the amount of \$21,096 for Bridge No. 235, located on Stafford Road over Clarks Creek in Guilford Township. Commissioner Gentry moved to follow the County Engineer's recommendation and approve the CMT proposal for inspection of Bridge No. 235. In the amount of \$21,096. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RACEWAY ROAD

John Ayers stated the Commissioners approved the \$2,000 quote of Parsons, Cunningham and Shartle at the November 8, 2011 meeting for a curve correction on Raceway Road. He presented for execution a preliminary engineering service Work Authorization for the curve correction on Raceway Road approximately 0.7 mile south of 56th Street from Parsons, Cunningham and Shartle Engineering in the amount of \$2,000. Commissioner Gentry moved to approve and sign the Work Authorization with Parsons, Cunningham & Shartle Engineers in the amount of \$2,000 for the curve correction on Raceway Road, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF JAIL – BOILERS

John Ayers explained the need to replace the boilers at the jail and that it would be most beneficial to replace them both at the same time. Mr. Ayers stated new boilers would also be more efficient than the current ones that were installed when the jail was constructed. Commissioner Gentry moved to pursue replacement of both boilers at the jail with more energy efficient ones and to obtain a better price by purchasing both boilers at the same time.

Commissioner Palmer seconded the motion. There was discussion of funding. Auditor Cinda Kattau stated she had advertised for an additional \$75,000 for these boilers for the Council meeting on December 8, 2011. There was discussion of the time element for replacement to ensure there would be heat at the Jail before both boilers failed while we are heading into the winter months. The motion was approve unanimously 3-0-0.

IN THE MATTER OF COURTHOUSE SECURITY SYSTEM

John Ayers advised the new security entry system for the Courthouse is currently being installed and will be completed in two weeks.

IN THE MATTER OF BRIDGE NO. 272

John Ayers announced there would be a Public Hearing in the Government Center on Tuesday, December 6, 2011 for Bridge No. 272, the historic bridge located on CR 550W over the CSX Railroad. He stated this hearing will be handled by INDOT.

IN THE MATTER OF ENCUMBRANCE LETTERS - ENGINEERING

John Ayers presented several encumbrance letters for execution. He explained these letters are for projects that are being funded from the 2011 budget of Engineering, Cum Cap and EDIT.

IN THE MATTER OF PROSECUTOR’S OFFICE

John Ayers reported they are planning to move the Prosecutor’s office from the Courthouse to the newly renovated Courthouse Annex on Monday, December 12, 2011.

Commissioner Palmer expressed her appreciation and thanked John Ayers and his staff for taking her on a tour of the Courthouse Annex.

Auditor Cinda Kattau reported the Prosecutor has contracted with a company to handle the bad checks and established a checking account with no County authorized signatures. She also stated there is a lack of documentation with claims that have been submitted. It was the consensus of the Commissioners that a representative of the Commissioners, Auditor Cinda Kattau and Mike Graham have a conversation with Prosecutor Pat Baldwin.

IN THE MATTER OF CR 571 E

Commissioner Palmer requested John Ayers to check on a report that citizens had stacked building supplies and other items on CR 571E. John Ayers presented a letter that he sent on November 14, 2011 to these individuals at 8905 S CR 571E, notifying them to remove the stacked building materials, a trailer and a basketball goal from the County right-of-way as soon as possible.

IN THE MATTER OF COMMISSIONER AND COUNCIL DISTRICTS
AND VOTING PRECINCTS IN HENDRICKS COUNTY

Mike Graham presented a Precinct map along with a draft Ordinance Setting Commissioner and Council Election Districts and a draft Ordinance Setting Voting Precincts in Hendricks County. He requested to advertise for a public hearing in the Commissioners’ Meeting Room at 9:30 AM on Tuesday, December 13, 2011. Commissioner Gentry moved to advertise the Ordinance Setting Commissioner and Council Election Districts and the Ordinance Setting Voting Precincts in Hendricks County for a public hearing on December 13, 2011 at 9:30 AM in the Commissioners’ Meeting Room. Commissioner Palmer seconded the motion and the motion was

approved unanimously 3-0-0.

IN THE MATTER OF ORDINANCE REPEALING AN ORDINANCE
REGARDING POSSESSION OF DEADLY WEAPONS

Mike Graham reported the law has lifted the restriction of carrying deadly weapons in Government buildings. He stated Hendricks County adopted Ordinance 1992-25 Deadly Weapons Prohibited Within Hendricks County Government Buildings on June 8, 1992 and this ordinance is now is in violation of the law. Mr. Graham presented a draft Ordinance for Repealing an Ordinance Regarding Possession of Deadly Weapons and requested to advertise for a public hearing. It was the consensus of the Commissioners to advertise the Ordinance to Repeal an Ordinance Regarding Possession of Deadly Weapons for a Public Hearing at 9:30 AM on Tuesday, December 13, 2011 in the Commissioners’ Meeting Room.

IN THE MATTER OF DEPARTMENT HEAD GOALS AND ACCOMPLISHMENTS

Mike Graham requested to set a date for the Commissioners to meet with individual Department Heads to review their 2011 accomplishments and 2012 goals. He stated in previous years these reviews were with the Veterans Service Director, Chief Animal Control Officer, Emergency Management Director, Weights and Measures Inspector, County Engineer, Director of Cypress Manor, Human Resources Director, Systems Administrator and Administrator to the Commissioners and have begun at 8 AM with each review lasting 30 minutes. There was discussion of these meetings. It was the consensus of the Commissioners to not hold a regular Commissioner meeting on Tuesday, December 27, 2011, but for Mike Graham to set up a schedule for the Commissioners to meet with individual Department Heads on Tuesday, December 27, 2011 and to allow 30 minutes for each one.

IN THE MATTER OF REMOTE E-MAIL ACCESS

Mike Graham reported over the years some employees have requested remote e-mail access to the County’s network. He explained for years Doug Morris, Systems Administrator, has resisted access because of his fear that the remote access may import a virus into the system, however, he has now tested the system using a personal device and he feels that our security has improved and his previous concerns have been reduced. Mr. Graham stated to provide remote access the County needs to establish a policy. He further explained Doug Morris and Ron Love, Human Resources Director, have identified two primary issues that need to be addressed in a remote e-mail access policy and presented a proposed policy. There was discussion if this would be for exempt or non-exempt employees and if overtime would be required. It was the consensus of the Commissioners for Mike Graham, Doug Morris and Ron Love to work on a limited use policy for remote e-mail access and that it state that it is not to be for access for non-exempt employees for more than 40 hours each week and to bring the revised policy back for further consideration.

.IN THE MATTER OF INTERNET SERVICE

Doug Morris stated as directed by the Commissioners on November 8, 2011 to go with LightBound as our internet provider he presented a Service Order which will modify our payment for internet service from LightBound. He explained when we discussed the option of using Connexities instead of LightBound, a proposal was submitted by LightBound to provide internet service at a reduced cost with a multi years agreement which is a significant savings to the County if we go to a multi-year agreement with LightBound. He presented a 3-year agreement with

LightBound which saves the County \$8,200 over the previous single year agreement. Mr. Morris also stated Attorney Greg Steuerwald has reviewed the Service Order and that he has funding in the Computer budget for this agreement. Commissioner Palmer moved to approve the 3-year contract with LightBound, as recommended by Mr. Morris 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.

Mike Graham reported that he has talked with the representatives of Connexities and has informed them of the Commissioners’ decision to stay with LightBound as the internet provider for the County.

IN THE MATTER OF LINK

Mike Graham stated having two social services agencies working together to provide a single transportation service is a good concept, however, with Link Hendricks County both services, Sycamore Services and Senior Services have transportation administrators which seem to be a duplication of staff. Commissioner Gentry explained there appears to be two traditional bureaucratic problems: one is having two people doing the same job; and secondly there is a lack of transparency. He stated there is a possibility that the Commissioners could establish two performance measures and if they are not accomplished then the Commissioners would not sign the next year’s Link grant applications. It was the consensus of the Commissioners for Mike Graham to talk with both the Sycamore Services and Senior Services on this matter.

IN THE MATTER OF WRIGHT LEASE AGREEMENT

Mike Graham reported the Drug Task Force has moved to Brownsburg and the County is currently paying a lease for space in Danville that does not expire until April 2013. He stated the monthly rent is \$1,068.35 and we have a total of 15 months remaining on the lease plus the cost of utilities. There was discussion of this lease. It was the consensus of the Commissioners for Mike Graham to ask the landlord, Don Wright, if he will release us from the lease and report back.

IN THE MATTER OF AMATEUR RADIO VOLUNTEERS

Certificates of Recognition were presented for execution for sixteen volunteers of Hendricks County Amateur Radio to be presented at their 24th Annual Amateur Radio & Volunteer Recognition Night on November 30, 2011. It was the consensus of the Commissioners to sign the certificates. It was noted eighteen plaques had also been ordered for volunteers of Amateur Radio. There was discussion the award night would be during the Indiana Association of County Commissioners (IACC) annual meeting and that the Commissioners and the Administrator would be attending the conference and unavailable for the presentation. It was the consensus of the Commissioners to ask the Sheriff’s representative to present these certificates and plaques to the recipients when he presented awards from the Sheriff Department.

IN THE MATTER OF 2012 APPOINTMENTS

There was discussion of making the 2012 appointments. It was the consensus of the Commissioners to add the 2012 Appointments to the December 13, 2011 agenda.

IN THE MATTER OF CORRESPONDENCE

Commissioner Wathen acknowledged receipt of the following correspondence:

Correspondence:

- 1. IDEM notice that the Indiana Department of Environmental Management Office of Air Quality has received an application form Milestone Contractors.
- 2. IDEM Construction Permit approved for Bluewood, Section 6B in Avon, Indiana.
- 3. IDEM Notice of Public Comment giving notice of 30-day period for Public Comment on Preliminary Findings regarding a new source construction and federally enforceable state operating permit (FESCP) for Electronic Recyclers Int’l, Inc. in Hendricks County.
- 4. IDEM Permit Application for sanitary sewer for Bluewood, Section 4C Permit Approval No. 20126 in Avon Indiana.
- 5. IDEM acknowledged receipt of a sanitary sewer permit from Town of Brownsburg to construct a new water treatment plant No. 1 in Arbuckle Acres Park in Brownsburg, Indiana

Action needed/taken on the following:

- 1. Checks received and signed to the county: \$ 85.00 OneBeacon – Vehicle damage
\$6,524.73 Comcast Cable Franchise
\$9,278.89 OneBeacon – Vehicle damage
\$ 300.00 US Govt for Rokita Office
- 2. Commissioner Wathen signed vehicle titles for the following: None
- 3. Documents needing action: Bond Changes:
Mary Anne Lewis
Dana Richardson

IN THE MATTER OF TRANSFER LETTER

A transfer letter transferring \$15,000 from 1001-35600-000-135: Liability, to 1001-33400-000-135: Postage, was presented. Commissioner Gentry moved to accept and sign the transfer letter, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CAPITAL IMPROVEMENT BOARD

It was noted the Commissioners in the Indianapolis Region need to appoint a representative to the CIB (Capital Improvement Board). Currently, Brenda Myers serves as the Commissioners’ appointee. Commissioner Wathen stated he will attempt to meet at the IACC (Indiana Association of County Commissioners) Conference on this matter.

IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for November 7 to November 18, 2011 from James McBryant, Cypress Manor Superintendent.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for November 7 through November 18, 2011 from Ron Love, Human Resources Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway reports for October 31to November 4, 2011 and November 7 to November 11, 2011 from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF VETERANS REPORT

Receipt was acknowledged of the October 2011 City & County VSO’s Monthly Report from Lori Turpin, Veterans’ Service Director.

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 11:18 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