

March 27, 2012

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, March 27, 2012 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
Michael E. Graham		Administrator to the Commissioners
John Ayers		Hendricks County Engineer
Doug Morris		Hendricks County Systems Administrator
Cathy Grindstaff		Hendricks County Environmental Health Director
James McBryant		Cypress Manor Director
Kevin Cavanaugh		Hendricks County Facilities Manager
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 Gentry moved to approve the minutes of the March 13, 2012 meeting, as corrected.

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

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Claims #228028 thru 228043, #228044 thru 228291, #228307 thru 228339, #228340 thru 228350, #228351 thru 228559, #228560 thru 288376, #288384 thru 228390, #102048 thru 102122 and Direct Deposit #078401 thru 078829, as submitted. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers reported they are still waiting on the receipt of the mortgage company releases of several parcels in the right-of-way of the Ronald Reagan Parkway. He stated they have sent a letter to each mortgage company and have called to encourage them to quickly respond to this request.

John Ayers stated the contractor will start back on the construction of the bridge on the Ronald Reagan Parkway over the CSX tracks in a couple of weeks if the mild weather continues.

Receipt was acknowledged of the January 15, 2012 APPIAN Activity Report for the Ronald Reagan Parkway from Dennis Faulkenberg.

IN THE MATTER OF SUBSTANCE ABUSE TASK FORCE

Christi, Patterson, Pittsboro Police Department, presented an update on the Hendricks County Substance Abuse Task Force with a chart showing the assistance provided by the Task Forces in 2011 to the agencies in Hendricks County that help them do their jobs better and make Hendricks County a safer place to live, work and grow. They used funds totaling \$157,535 in 2011 on these projects. She also provided the HCSATF Dx Drop Log and the Third Year DFC Grant contact from October 1, 2010 thru September 30, 2011. Ms. Patterson also explained the expenditures, budget cuts, 2012 budget and funding.

Auditor Cinda Kattau reported a grant for substance abuse training purposes was received by Hendricks County Superior Court 4.

IN THE MATTER OF B&O TRAIL

John Ayers explained the new process for approving an amendment to the B&O Trail design of the trail head

for parking on the west side SR 267 near Brownsburg and the trail design west of SR 267. He presented Amendment 2 B&O Trail / Des #9384590 for Trail Design in the amount of \$243,741 with SKA to a contract that was previously approved for this design of the B&O Trail west and explained the new regulations require that the previous contract be voided and then approval granted for this amendment for the design. Commissioner Gentry moved to void the previous design contract with SKA for the B&O Trail west and the trail head, as recommended by the County Engineer. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Palmer moved to approve the amendment with SKA for the design of the B&O Trail head at SR 267 near Brownsburg and the trail west and authorize the President to sign on behalf of the Commissioners. John Ayers explained a paving problem they are having with the B&O Trail from Raceway Road to SR 267 and stated they are working with the contractor to resolve this issue. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF DANVILLE CONSERVATION DAM

John Ayers reported the contractor is working on the reconstruction / repair of the Danville Conservation Dam and they plan to have the project completed in June 2012.

IN THE MATTER OF SR 39 DETOUR

John Ayers presented a Letter of Understanding for Unofficial Local Detour for SR 39 as SR 39 will be closed for the pavement replacement through the Town of Clayton as part of their contract No. 30901. The letter had an attached map showing the unofficial detour of SR 39 will begin May 1, 2012 and is on CR 400S and East Market Street. The official detour is on US 40, SR 267 and US 36 and the temporary official detour on CR 0. He stated in the letter INDOT agrees to reimburse Hendricks County for the cost related to damage repair on CR 400S, East Market Street and CR 0 while it is being used as the unofficial local detour. Mr. Ayers explained the County will video these County roads before the closing of SR 39 and then again after the pavement replacement on SR 39 is complete in order to determine any damage to these County roads.

IN THE MATTER OF RACEWAY ROAD

John Ayers reported he had attended a meeting with representative from Indianapolis relative to safety improvements for the curve on Raceway Road near CR 600N. He stated Hendricks County will apply jointly with Indianapolis for funding for road safety improvements at this location.

IN THE MATTER OF BRIDGE NO. 243

John Ayers announced the deck was poured last week for Bridge No. 243, located on Township Road, in Guilford Township.

IN THE MATTER OF CR 200E - BILL RAWLINGS

John Ayers reported they are working to resolve drainage issues with a ditch on CR 200E, just north of CR 500N, that Bill Rawlings has reported floods his farm field.

IN THE MATTER OF WORK RELEASE

Leanna Alverson reported the weekend storm damaged the phones at the Work Release and presented two insurance claims totaling \$4,000 for phone repair. She also reported the security system at the Work Release is

having problems and they are looking at the damage to this system. Ms. Alverson advised the County has a \$5,000 deductible.

IN THE MATTER OF CYPRESS MANOR

Leanna Alverson reported Cypress Manor sustained a considerable amount of damage over the weekend when a water pipe broke in the upstairs apartment and water soaked the ceilings and floors of the facility. She presented an estimate of \$17,706.28 from CYM Property Loss Repairs to repair/replace the damage to the building. She also stated they will need to obtain a quote for replacement of some of the HVAC ducts that were also damaged by this water leak problem.

James McBryant presented an Admission Record/Contract to Cypress Manor from Angela Lorraine Lewis. He stated this would be a private pay resident and recommended acceptance. Commissioner Gentry moved to accept the application for residency of Angela Lorraine Lewis, as recommended by the Cypress Manor Director. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Receipt was acknowledged of the Cypress Manor report for March 10 to March 23, 2012 from James McBryant, Cypress Manor Director

IN THE MATTER OF COURT HOUSE

Kevin Cavanaugh explained the Court House Energy Savings this winter to date is \$11,690. This savings is the result of the renovation of lighting, windows and doors at the Court House. He also stated the reporting by this consultant is to continue for 4 years to meet the terms of the grant for energy savings.

John Ayers reported he met with Arc Design to discuss the use of the area of the Court House that was previously occupied by the Prosecutor. He stated he will review their plans and will then meet with the judges in a couple of weeks to get their input on the use of this space in the Court House.

IN THE MATTER OF CIRCUIT COURT

Kevin Cavanaugh presented a request to install a walk up service window in the wall adjacent to the interior office entry of Circuit Court on the third floor. He stated this service window would deliver increased security by allowing the office door to be closed and still observe and serve the public, it will match the service window arrangement of all other Hendricks County courts in the Court House and the work can be performed by Window One for \$5,200. He sated Window One previously installed the service window in Superior 4. Mr. Cavanaugh also explained this would slightly alter an interior wall in the Court House. Commissioner Gentry moved to approve the installation of a walk up service window for Circuit Court in the amount of \$5,200. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SUPERIOR 2

Kevin Cavanaugh explained the condensate pan of the primary air handler service in the Superior 2 Court Room has failed and the unit is not functional. He explained a replacement of a condensate pan in a 15 year old unit is estimated at \$5,000 or the installation of a new unit for \$9,500. He stated funds were available in the 2012 budget for this maintenance. Commissioner Gentry moved to approve and install a new unit for the Superior 2 Court Room rather than just replacing the condensation pan. Commissioner Palmer seconded the motion and the

motion was approved unanimously 3-0-0.

IN THE MATTER OF REFINANCING BONDS

Bruce Donaldson, Barnes & Thornburg, presented several documents for the Commissioners to sign relative to the refinancing of the 2003 Transportation Bonds that will have an annual savings of \$100,000 for the County. He stated Avon has paid off their portion of the Transportation Bond.

Bruce Donaldson also presented several documents for the Commissioners to sign for the refinancing of the 2003-04 Facilities (Fairgrounds) Bond. The interest rate for this bond was originally 4.7% and the refinancing is now 2.9 % with a significant annual savings of \$1,300,000 for the County. Mr. Donaldson stated he also has documents for the Fairgrounds Bond Board to sign and introduced Facilities (Fairgrounds) Bond Board Members Keith Brock, Bill Holland and Carol Ross. Mr. Donaldson recommended the County have an agreement for these funds.

Bruce Donaldson explained the balance of the Work Release Bond can be used for repair of the Jail and he will send a draft resolution to the Council for their April 12, 2012 meeting. There was discussion this repair of the Jail will extend the life of the Jail and delay replacement for several years.

Bruce Donaldson reported the bond for Qualitech steel mill in Pittsboro was issued in 1997 and Steel Dynamics then purchased this facility in 2004. Mr. Donaldson explained this bond cannot be refinanced before February 2014, however, the necessary information needs to be shared with Greg Guerrettaz, Financial Solutions Group, Hendricks County financial advisor, to start this process. There was discussion of this refinancing. The Commissioners directed Mike Graham to provide the information from Greg Guerrettaz on the steel mill TIF with Mr. Donaldson.

John Ayers explained some problems with the condition of the access road to Steel Dynamics and the frontage road. The Commissioners requested John Ayers to look at this road and the frontage road near the steel mill and bring an estimate of the cost to repair these roads.

Auditor Cinda Kattau reported she had received another document after the Commissioners March 13, 2012 meeting for the bond refinancing that had been overlooked. It was a Paying Agency Agreement from the New York Mellon Trust that needed to be signed last week in order to meet a deadline. She stated Commissioner Wathen came in and signed this document to meet the deadline, as recommended by Bond Attorney Bruce Donaldson. Commissioner Gentry moved to ratify Commissioner Wathen signing the Paying Agency Agreement from the New York Mellon Trust in order to meet all deadlines on the refinancing of the bonds. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Cinda Kelly, Executive Director Economic Development Partnership, talked about the proposed expansion of Steel Dynamics (SDI) and explained the development concerns and the need for a State grant.

IN THE MATTER OF RECESS

It was the consensus of the Commissioners to recess the Commissioners' meeting at 9:52 AM and move to Room #4-5 to sign the necessary documents for the refinancing of the bonds that were provided by Bond Attorney

Bruce Donaldson.

The Commissioners reconvened their meeting at 10:07 AM.

IN THE MATTER OF AIRPORT

Al Bennett, Hendricks County Appointee to the Indianapolis International Airport Authority Board, gave an update on the Indianapolis Airport Authority Air Service. He stated the monthly enplanements are up 12.26 %, airline monthly seat capacity (inbound/outbound) down 2.28 %, passenger landing weights up 5.5% and cargo landing weights up 15.2& for 2012. He gave a report with handout on the impact of the Super Bowl at the Indianapolis International Airport. He stated there were 528 aircraft on the ground game day with a total of 5,295 flights thru the airport January 29 to February 6, 2012, the week of the Super Bowl. The handout had pictures showing the planes parked along the runways, at adjoining USPS parking, Fed-Ex, and the ramp at the old airport terminal Mr. Bennett also provided public safety statistics for 2011 and stated the airport hosted the New Orleans & NY/NJ airport staff and officials for a “behind the scenes” review of airport Super Bowl preparedness

IN THE MATTER OF LINK - BUS BARN / GARAGE

Mike Graham stated they are planning a meeting on Thursday, April 19, 2012 with representatives from Sycamore Services to discuss the LINK bus barn / garage and requested to continue the LINK storage facility until after this meeting.

IN THE MATTER OF 2013 HOLIDAY CALENDAR

Receipt was acknowledged of a request from Superior 1 for the 2013 Holiday Calendar to be adopted in order for them to start scheduling court cases in 2013. A draft 2013 Holiday Calendar was presented for consideration. It was noted the Primary Election Day and General Election Day will not be observed as holidays in 2013 as this is not a national election year. There was discussion of the calendar. A draft 2013 calendar was presented.

HOLIDAY CALENDAR

2013

<i>NEW YEAR’S DAY</i>	<i>TUESDAY</i>	<i>JANUARY 1, 2013</i>
<i>MARTIN LUTHER KING, JR. DAY</i>	<i>MONDAY</i>	<i>JANUARY 21, 2013</i>
<i>PRESIDENTS’ DAY</i>	<i>MONDAY</i>	<i>FEBRUARY 18, 2013</i>
<i>GOOD FRIDAY</i>	<i>FRIDAY</i>	<i>MARCH 29, 2013</i>
<i>MEMORIAL DAY</i>	<i>MONDAY</i>	<i>MAY 27, 2013</i>
<i>INDEPENDENCE DAY</i>	<i>THURSDAY</i>	<i>JULY 4, 2013</i>
<i>LABOR DAY</i>	<i>MONDAY</i>	<i>SEPTEMBER 2, 2013</i>
<i>COLUMBUS DAY OBSERVED</i>	<i>MONDAY</i>	<i>OCTOBER 14, 2013</i>
<i>VETERANS’ DAY</i>	<i>MONDAY</i>	<i>NOVEMBER 11, 2013</i>
<i>THANKSGIVING</i>	<i>THURSDAY</i>	<i>NOVEMBER 28, 2013</i>
<i>THANKSGIVING HOLIDAY</i>	<i>FRIDAY</i>	<i>NOVEMBER 29, 2013</i>
<i>CHRISTMAS</i>	<i>WEDNESDAY</i>	<i>DECEMBER 25, 2013</i>

Commissioner Palmer moved to approve the 2013 Holiday Calendar, as presented. Commissioner Gentry

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

IN THE MATTER OF COURT HOUSE USE

Receipt was acknowledged of correspondence from Karen Cravotta, Social Justice Chairman of the Unitarian Universalist Community Church, requesting to again use the Court House steps for a social justice action from 5:30 PM to 9:00 PM on Thursday, May 3, 2012. This action is in support of rights for the gay, lesbian, bisexual and transgendered community. Ms. Cravotta stated they will not need for the Court House to be opened, however, they would like to use electricity. It was noted there is an electrical outlet on the exterior light by each exterior door of the Court House that they have used previously. It was the consensus of the Commissioners to take no action on this request as they will be using only the exterior steps of the Court House.

IN THE MATTER OF HEALTH BOARD CONTRACT

Cathy Grindstaff explained the attorney previously representing the Hendricks County Health Board is no longer available for that service and that the Health Board is currently without legal counsel. She stated Dr. Hadley, Tammy Brinkman, Director of Nursing, and she had met with three prospective attorneys and selected Attorney J. Keith LeBlanc of Schultz & Pogue, LLP. She presented a contract with J. Kirk LeBlanc of Schultz & Pogue to provide legal services as Health Board Attorney for 2012. Ms. Grindstaff stated she has sent the contract to Greg Steuerwald for review and comment. There was discussion of this contract. Commissioner Gentry moved to table the contract for legal services for the Health Board for further consideration. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. Ms. Grindstaff encouraged the Commissioners to move forward quickly on this matter as they have some outstanding cases that need legal attention. Commissioner Wathen requested a list of the Health Department outstanding cases and encouraged the Health Department to check with local / County attorneys for this service.

IN THE MATTER OF FITNESS CLASSES

Mike Graham reported Jennifer Hill, the Health Educator with the Hendricks County Health Department, has talked to the staff of the Danville Parks and Recreation Department and the Danville staff has extended an offer to Hendricks County employees to become members at the Danville Fitness Center at the Town Hall. He stated the cost is unlimited use of the fitness center and 4 fitness classes at \$20 per month if automatic paid from debit/credit or \$25 cash. Mr. Graham stated the Health Department would like the Commissioners authorization to promote this program to County employees as it would have no direct cost to the County. There was discussion of using this facility and of other facilities throughout the County that offer fitness classes that might be located closer to the homes of some County employees. It was the consensus of the Commissioners for Ms. Hill to check with other fitness facilities in the County to see if they would offer this same fitness class program package to County employees so that all similar facilities could also be promoted.

IN THE MATTER OF AMATEUR (HAM) RADIO

Mike Graham reported Jay Wright with the Amateur (HAM) Radio Volunteers is trying to get a commitment from all three Commissioners to attend their annual recognition meeting this fall. The HAM operators are celebrating 25 years as an organization and they would like to extend their thanks to the County Commissioners by

having all three of the Commissioners participate in the celebration. He stated the Commissioners have over the years paid for plaques and certificates recognizing the volunteer efforts from the HAMs. Traditionally the recognition event has been held in early December. Mr. Graham asked if the Commissioners are willing to make a commitment to participate in this event as Mr. Wright has stated it will truly be a gala event. It was the consensus of the Commissioners that if the date of the Amateur (HAM) Radio celebration event fits with their scheduled they will attend.

IN THE MATTER OF CICOA

Mike Graham stated the Central Indiana Council on Aging (CICOA) is having a series of stakeholder meetings to develop their 2012-2015 Strategic Plans. The Hendricks County stakeholder meeting will be Tuesday, April 10, 2012 (2:00 p.m. – 3:30 p.m.) at the Hendricks County Senior Services and they are conducting similar meetings in all eight counties that they serve. Mr. Graham asked if any of the Commissioners would like to attend. There was discussion of these meetings and this organization. It was the consensus of the Commissioners to ask a representative from Senior Services to attend the CICOA stakeholder meeting.

IN THE MATTER OF ANIMAL CONTROL

Mike Graham stated some people attending the Animal Advisory Group meeting are there to take over the operation of the shelter and other people are involved who want to improve the process and their different goals are creating conflicts. He stated we have avoided taking sides and based upon his recommendation the Commissioners established the Animal Advisory Group to develop recommendations to solve problems. However, because we avoid these hot topics we have a power void and people are trying to take control of the process. Mr. Graham stated we have not had the first official meeting of the volunteers and we already have a serious conflict between two of the volunteers. He recommended that we make some hard decisions on how we deal with the passionate animal people. There was discussion of some problems with the volunteers. It was the consensus of the Commissioners for Mike Graham to coordinate and develop perimeters for the volunteers at the Animal Control to present at the next meeting of the Animal Advisory Group.

IN THE MATTER OF CREDIT CARD - SUPERIOR 5

Receipt was acknowledged of an email from Cheryl Bowman, Superior 5, requesting a credit card for purchasing snacks and stuff for the juries for Superior 5. It was the consensus of the Commissioners to approve a credit card for Cheryl Bowman in Superior 5, with a limit of \$2,000.

IN THE MATTER OF APPIAN

There was discussion of continuing or discontinuing the use of Dennis Faulkenberg and Laurie Miser of APPIAN for lobbying purposes for the Ronald Reagan Parkway. John Ayers stated he felt we would not be as far along on the Ronald Reagan Parkway if we had not had the representatives of APPIAN watching for grants and other information to help us build this parkway. It was the consensus of the Commissioners to continue the contract with APPIAN for services for the Ronald Reagan Parkway.

IN THE MATTER OF GASB-45

Mike Graham announced the next Benefits Committee Meeting is June 14, 2012 at noon. He stated Jeff Fox

will be discussing the options to reduce the unfunded liability associated with retiree health care benefits and this will bring the County closer into compliance with the GASB 45 recommendations.

IN THE MATTER OF COMPUTER DEPARTMENT

Doug Morris presented a check from the Danville Public Library in the amount of \$8,100 per Service Agreement of July 26, 2011 between the Hendricks County Computer Department and the Danville Public Library for scanning services and digitizing of the Central Normal - Canterbury College records on County computer equipment. Mr. Morris stated the preservation of these historical documents was planned to be completed by April 2012, however, they finished well ahead of that date.

IN THE MATTER OF WHEEL TAX

John Ayers stated he had emailed a draft letter to be sent to the towns in Hendricks County requesting their support of a Wheel Tax increase from \$20 per vehicle to \$25 per vehicle. It was the consensus of the Commissioners to review the letter and then sign and send the letter after approval.

IN THE MATTER OF CORRESPONDENCE

Commissioner Wathen acknowledged receipt of the following correspondence:

Correspondence:

1. Announcement from Hendricks Regional Health of the retirement of Dennis W. Dawes, President and CEO. Mr. Dawes started with the hospital in 1972 and has given forty years of service of which 38 years he served as the President and CEO.
2. The agenda for the March 22, 2012 Cummins Behavioral Health Systems Board of Directors Meeting and minutes of their February 23, 2012 meeting.
3. IDEM notice from the Office of Water Quality Facility Construction and Engineering Support Section has received a sanitary sewer permit application on March 9, 2012 from Mr. Matt Lohmeyer, Pulte Homes of Indiana, LLC.
4. Notice from IDEM Office of Water Quality, Facility Construction and Engineering Support Section that they have received sanitary sewer permit application on February 21, 2012 from Mr. Kenneth Brasseur, High Grove Capital Partners, LLC, C/O Platinum Properties LLC. If approved by IDEM the permit would allow the applicant to construct Hession Fields, Section 3 in Brownsburg, Indiana.
5. IDEM Notice of Decision: Approval – Effective Immediately for Steel Dynamics, Inc. Engineered Bar Products Division 0053-30899-00037.
6. IDEM Permit Application, Plans and Specification for sanitary sewer Hession Fields, Section Permit Approval No. 20203, Brownsburg. Indiana, Hendricks County.
7. Crown Castle Customer Service Survey for the tower at Highway
8. Letter from Town of Plainfield notifying that Monday, January 23, 2012 the Plainfield Town Council adopted Declaratory Resolution No. 2012-02 establishing economic revitalization areas for the purpose of granting ten (10) year real property tax abatements for Caymus Real Estate, LLC.
9. Letter from Town of Plainfield notifying that on Monday, February 27, 2012 the Plainfield Town Council adopted Declaratory Resolution No. 2012-06 establishing economic revitalization areas for the purpose of granting ten (10) year real property tax abatements to East Plainfield 1, LLC – Verus Partners, LLC (Verus).

Action needed/taken on the following:

- | | |
|---|--|
| 1. Checks received and signed to the county: | \$ 2,039.05 Erie Insurance Liability |
| | \$ 300.00 Rokita Office |
| | \$ 819.26 Verizon Reimbursement |
| | \$ 500.00 One Beacon Deductible Recovery |
| | |
| 2. Commissioner Wathen signed vehicle titles for the following: | None |
| | |
| 3. Documents needing action: | None |

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for February 27 thru March 9, 2012 from Ron Love, Human Resources Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for February 27 to March 2, 2012, March 5 to March 9, 2012 and March 12 to March 16, 2012, from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the Weights and Measures Monthly Report for February 15 to March 15, 2012 from Charles Colbert, Weights and Measures Inspector.

IN THE MATTER OF PLANNING

Receipt was acknowledged of the Planning and Building Department Report of Collections for March 18, 2012 from Don Reitz, Planning Director.

IN THE MATTER OF LIBERTY TOWNSHIP FIRE TRUCK

Mike Graham announced Bobbie Dixon, Liberty Township Fire Chief, has arranged for the new recently purchased Liberty Township fire truck to be at the Government Center for the Commissioners to observe following the meetings today at 11:30 AM.

Commissioner Palmer moved to adjourn the Commissioners’ meeting at 11:05. 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

