

May 14, 2013

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, May 14, 2013 with a quorum of all three (3) Commissioners in the Commissioners’ Meeting Room on the first floor of the Hendricks County Government Center with the following in attendance:

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| Bob Gentry |) | |
| Phyllis A. Palmer |) | Hendricks County Board of Commissioners |
| Matthew D. Whetstone |) | |
| Gregory E. Steuerwald | | Hendricks County Attorney |
| Cinda Kattau | | Hendricks County Auditor |
| John Ayers | | Hendricks County Engineer |
| Michael E. Graham | | Administrator to Commissioners |
| Douglas Morris | | Hendricks County Systems Manager |
| Tammy Brinkman | | Hendricks County Director of Nursing |
| Kevin Cavanaugh | | Hendricks County Facilities Manager |
| James Mardis | | Hendricks County Director Clear Water |
| Judith Wyeth | | Secretary to the Commissioners |

Commissioner Palmer 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 26, 2013 and April 9, 2013 meetings, as corrected. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Whetstone moved to approve Claims #240891 thru 241344, #104423 thru 104473 and Direct Deposit #1044474 thru 104908, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RFP FOR COPIERS

Commissioner Palmer announced the RFP (Requests for Proposals) for County copiers/printers had been duly advertised for 9 AM, stated it was now 9:07 AM and closed receipt of proposals. Mike Graham read the vendors that submitted RFP for the copiers and printers:

Sharp Business Systems
Van Ausdall & Farah

He stated they would take these two RFP’s under advisement. Doug Morris stated they will bring back a recommendation at the next meeting.

IN THE MATTER OF PLAINFIELD HIGH SCHOOL SHOW CHOIR

Commissioner Palmer introduced Plainfield High School Principal Kellie Jacobs and she in turn introduced Director of the Show Choir Jonelle Heaton, Assistant Director Margaret Humrichouser, Student Leader Jordan Jones and Dance Captains Sierra Murphy and Faith Coffey. Commissioner Palmer acknowledged the accomplishments of the Femmes Fatales Show Choir and read the following proclamation,

PROCLAMATION

PLAINFIELD HIGH SCHOOL FEMMES FATALES
SHOW CHOIR STATE CHAMPIONSHIP

BE IT REMEMBERED: The Hendricks County Board of Commissioners and the Citizens of Hendricks County recognize: PLAINFIELD HIGH SCHOOL FEMMES FATALES for winning the 2013 Class B Show Choir State Championship.

BE IT REMEMBERED: Of the 19 show choirs, 10 mixed and 9 unisex qualified to participate in the Class B State Show Choir Finals on March 16, 2013 by achieving the highest scores at ISSMA qualifications sites throughout Indiana during the competition season. At state finals, Plainfield High School Femmes Fatales received the highest point score of the nine participating unisex groups to claim the title of State Champions in their division.

BE IT REMEMBERED: A lot of hard work went into the winning performance. Girls spent hours and hours of practice after school from August through March performing their competition show. Dance captains and seniors were the leaders who led mainly freshman and sophomore girls win this title.

BE IT REMEMBERED: These team members serve as role models to all youth. The dedication of the team to practice, teamwork, high goals, hard work and mental attitude serve as an example to all Hendricks County students. The students and supporting staff of Plainfield High School have shown great leadership and dedication. Their fellow students have supported them in an enthusiastic manner that does Plainfield High School and All of Hendricks County proud.

NOW, THEREFORE, IN CONSIDERATION: The above contribution to Hendricks County by the Plainfield High School Femmes Fatales Show Choir State Champions, the Hendricks County Board of Commissioners in their unanimous and inherent jurisdiction, by this Proclamation do hereby declare, recognize and honor our outstanding youth. This order entered into this 14TH day of May, 2013, at 9:00 AM.

(SEAL)

(Signed)

Phyllis A. Palmer, President
Bob Gentry, Vice President
Matthew D. Whetstone, Member

Commissioner Palmer commended the group for their hard work and dedication and stated they made everyone proud of the students of Plainfield High School

IN THE MATTER OF RFP LATE ARRIVAL

A representative from Konica Minolta hand delivered an RFP for the copiers/printers at 9:17 AM. Attorney Greg Steuerwald explained they have completed the acceptance of proposals as the 9 AM due time has passed, however, this is an RFP and they are different from bids and we can accept this RFP with no prejudice, and review it with the other two RFP received. It was the consensus of the Commissioners to accept this RFP from Konica Minolta and review with the other RFP for the copier/printers received on this date.

IN THE MATTER OF AIRPORT

Al Bennett, Hendricks County representative on the Indianapolis Airport Authority Board, presented a plaque to Hendricks County for their cooperation with the planning and development of economic development around the airport. The plaque was from IND AeroVision and signed by representatives of the ten entities around the airport. Al Bennett gave an update on the airport and explained the committees established along with three subcommittees to proceed with the plans for AeroVision.

IN THE MATTER OF HEALTH DEPARTMENT - CREDIT CARD

Tammy Brinkman presented a Participation Agreement with Government Payment Service, Inc. (dba Gov-Pay) and explained paying by credit card would be beneficial to the Hendricks County citizens paying for fees in the Health Department. She stated the fee for credit card usage would be paid by the user at no cost to the County and that this agreement had been reviewed by County Counsel. Commissioner Whetstone moved to approve the agreement with Gov Pay for the Health Department 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, Commissioner Palmer suggested that a sign be placed near the credit card machine in the Health Department stating that the user pays the fee.

IN THE MATTER OF PARTNERSHIP FOR CLEAN WATER

Jim Mardis explained the Partnership for Clean Water is a cooperative program with Candi Donaldson serving as the educator for the County and towns. She purchases items for her presentations both in the classrooms and at

special events with her personal funds and then turns in bills to Clean Water for reimbursement. He presented a letter requesting approval to apply for a County credit card to be used by the Clean Water Department in order for employees to not use their personal funds. Commissioner Whetstone inquired the credit card services of the County and Auditor Kattau responded the County credit cards are with the Coatesville Bank. Commissioner Whetstone stated he was affiliated with the Coatesville Bank and excused himself from all discussion on this matter. It was noted the standard limit on County credit cards of \$2,000 has been approved by the County with only a couple of exceptions. Mr. Mardis stated he will monitor the credit card statement on a monthly basis. Commissioner Gentry moved to approve a County credit card for the Clean Water Department with a limit of \$2,000. Commissioner Palmer seconded the motion and the motion was approved 2-0-1 with Commissioners Gentry and Palmer voting aye and Commissioner Whetstone abstaining.

Jim Mardis explained Kim Bowman is leaving the Clean Water Department to take a position in the Planning Department as address coordinator and presented a Clean Water Proposal to contract the inspection service out rather than replacing this employee. He presented the plan review, contract, inspections, a proposal with graph showing a comparison of permits issued in 2006 and 2013 and a mobile office. He stated having an engineering firm do the inspections would also eliminate a County vehicle. Mr. Mardis stated the engineering firm that currently does the plan reviews is Christopher Burke and he would recommend switching to Butler Fairman and Seufert for Plan Reviews and the County Inspections. There was discussion of this proposal for inspection services. It was the consensus of the Commissioners for Jim Mardis to bring an agreement with Butler, Fairman & Seufert to the May 28, 2013 meeting for further consideration.

Jim Mardis requested approval to purchase two I-Pads for the Clean Water Department that would enable them to enter and retrieve data in the field. He stated these would be a one-time cost of \$1,200 with the annual service fee of \$720 each. He also stated this would reduce time spent in the office entering data and allow quicker response time to customer complaints. Commissioner Gentry moved to approve the purchase of two I-Pads for the Clean Water Department, as requested. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLERK’S OFFICE

D. J. Hoskins requested to place an ATM in the Court House and explained the Clerk’s office currently only takes cash as they have received several bad checks and it takes time and money to track down the check holder. She stated there is an ATM vendor that would pay the County fifty-cents for each transaction. She presented a list of 10 local banks with their charges and capability. There was discussion of the location of this ATM and the esthetics of the Court House. It was the consensus of the Commissioners for Ms. Hoskins and Kevin Cavanaugh to look at possible locations for this ATM and bring back a recommendation to the May 28, 2013 meeting.

IN THE MATTER OF CR 1000N

John Ayers presented a contract with Bernardin Lochmueller for the environmental study and preliminary design of improvements to CR 1000N in the amount of \$780,000. Mr. Ayers explained this would be funded from

the remaining Wheel Tax bond proceeds from the proposed CR 100N project and this use of the funds had been approved by the Council. Commissioner Gentry moved to sign the contract with Bernardin Lochmueller for the environmental preliminary study on CR 1000N. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIDGE NO. 29, 47 AND 162

John Ayers requested to advertise a Notice to Bidders for bridge deck overlay on Bridges No. 29, No. 47 and No. 162 for a letting date of June 11, 2013. Bridge No. 29 is located on CR 1000N over Etter Ditch; Bridge No. 47 is located on Old US 52 over Fishback Creek and Bridge No. 162 is located on East Columbia Street, within the Town of Danville, over West Fork of White Lick Creek. Commissioner Gentry moved to approve advertising the Notice to Bidders for the deck overlay on Bridges No. 29, 47 and 162 for letting on June 11, 2013 at 9 AM in the Commissioners’ Meeting Room. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIDGE NO. 127

John Ayers presented for execution the Title Page for Bridge No. 127, located north of Amo. Commissioner Gentry moved to sign the Title Page for Bridge No. 127, as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RONALD REAGAN PARKWAY

Receipt was acknowledged of the May 2, 2013 letter from Attorney Dan Zielinski with Report of Appraisers in the amount of \$1,367,400 for the eminent domain proceedings regarding property owned by M. L. Eccles Development, LLC, Matthew Lacy, Renee Radevic, Howard Lacy IV, Andre Lacy Family Partnership and CINQ PUIPS, located near the I-74 and Ronald Reagan interchange. John Ayers explained the eminent domain process. Commissioner Whetstone moved to allow County Engineer John Ayers to proceed and deposit money in the escrow account for this project. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COURT HOUSE

John Ayers announced they have held a pre construction meeting with the contractor for the renovation of the Court House and they plan to start on this project on May 28, 2013.

IN THE MATTER OF CAMBRIDGE ESTATES

There was discussion of pavement issues on Manchester Drive in Cambridge Estates. They will continue to monitor this matter.

IN THE MATTER OF SR 267 RELINQUISHMENT

John Ayers reported a letter had been sent to INDOT relative to the relinquishment of SR 267 and they are continuing to work with INDOT.

IN THE MATTER OF COUNTY LIABILITY AND CASUALTY INSURANCE

Mike Graham stated at the end of 2013 we will have used One Beacon Insurance Group as our property, causality and liability provider for three years. One Beacon has given us good service and John Parmley has been a very good agent. He stated when the Commissioners changed insurance providers they stated they would like a

review every three years. John Parmley sells for the majority of insurance companies who provided quotes in 2010. Mr. Graham inquired if the Commissioners want Mr. Parmley to obtain quotes from other insurance companies for the County liability and casualty insurance. Commissioner Whetstone advised he had an agent interested in the County insurance. It was the consensus of the Commissioners for John Parmley to check with other companies and for Commissioner Whetstone to contact Mike Graham on the County insurance.

IN THE MATTER OF PICTOMETRY

Mike Graham explained Pictometry is a software product that through the use of aerial photography can provide a dimensional view of buildings and other items on the ground. Our County Assessor Gail Brown has used this product to reduce the cost of having an assessor visit each property. The Assessor is putting together a cost benefit analysis comparing the Pictometry method to the old site visit method. One outcome of the program is the computer will identify new structures that have been added between aerial photos. He stated there are a lot of applications for Pictometry including public safety and community planning, however, the challenge with using the product is the aerial photography is expensive and it should to be updated every two years and the last flight was in 2010. Mr. Graham reported we have received a proposal from Pictometry to have new aerials done in 2013, 2015 and 2017 for a total cost of \$672,333. The annual payments would start at \$102,439 in 2013 and increase to \$121,422 in 2018. A disadvantage to the old Pictometry is the software has to be loaded on each computer before it could be used. Pictometry has now developed a web base application which will vastly improve the access. Avon, Brownsburg, Danville, Plainfield and the Communications Center all use aerial photograph and they all face the challenge of updates. Mr. Graham requested authorization to ask the Town Managers and Steve Cook of the Communications Center if there is an interest in trying to share the cost on updating the aerials and providing them access to Pictometry. There was discussion of this procedure. It was the consensus of the Commissioners for Mike Graham to talk with the towns and communication center about participating in sharing the cost of the aerial photograph for Pictometry.

IN THE MATTER OF EMPLOYEE HEALTH INSURANCE

Mike Graham presented an amendment to the County Health Insurance for prescription with Elect RX and stated this needs to be ratified as it became effective January 1, 2013. Commissioner Whetstone moved to ratify the agreement with Elect RX for prescriptions for the employee health insurance plan effective January 1, 2013. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ANIMAL CONTROL

Mike Graham reported the agreement with the Humane Society for use of the County van for adoption events has been signed.

IN THE MATTER OF COMPUTER DEPARTMENT

Doug Morris presented a check in the amount of \$1,999.00 from the Danville Public Library for scanning of County documents in March and April 2013.

IN THE MATTER OF CYPRESS MANOR

There as discussion of an applicant that was approved by email for residence at Cypress Manor. The Commissioners requested Mike Graham to check with the Cypress Manor Director to determine if this resident is

still at Cypress Manor.

Receipt was acknowledged of the Cypress Manor report for April 20 to May 3, 2013 from James McBryant, Cypress Manor Director.

IN THE MATTER OF EXIT 59 - GORDMANS

Mike Graham referenced the escrow agreement for 70 W. Commerce Park. Greg Steuerwald explained the purpose of this account.

Mike Graham explained the developers Paul Kite and Mark Sanders have a problem with IDEM regarding a bat study. In order to bridge across a ditch and extend Innovation Blvd. to the Gordmans' building site both Kite and Sanders need to cut some trees. Prior to removing the trees they have to do a bat study. If the bat study shows signs of bat habitat the trees cannot be cut until October of 2013. Regardless of whether or not there are bats the IDEM permit process will take 60 to 90 days. In order for Gordmans to get a building permit the subdivision plat has to be recorded and the plat cannot be recorded until IDEM issues a permit. Mark Sanders will be attending the May 14, 2013 Plan Commission meeting and will seek a waiver of the requirement that the IDEM permit needs to be obtained prior to starting construction of the building. Allowing the construction to begin prior to obtaining all the required permits will be a deviation from our procedures. Not allowing the construction to begin will seriously jeopardize the project. Other than the precedent issue, the staff is primarily concerned about Gordmans trying to use CR 1000S as the access to their building if the building is completed prior to Innovation Blvd. being completed.

IN THE MATTER OF TORT CLAIM – ESTATE OF JOHN BOFFO

Receipt was acknowledged of a letter from OneBeacon Government Risks advising of their denial of the Kimbrly Renzi and/or Estate of John Boffo Tort Claim stating as Hendricks Regional Health and/or Hendricks Family Medicine are separate and distinct legal entities apart from Hendricks County.

IN THE MATTER OF TORT CLAIM - ROGER WRIGHT

A denial letter was received from One Beacon for the Tort Claim of Roger Wright relative to Hendricks Regional Health and Floyd Township Fire Department.

IN THE MATTER OF TORT CLAIM - ANGELA ARMSTRONG

Receipt was acknowledged of a Tort Claim from Ken Nunn Law Office on behalf of Angela Armstrong for incident of December 29, 2012 when claimant was struck by an oncoming vehicle that crossed center line due to icy roads. The claim has been scanned to Greg Steuerwald and John Parmley.

IN THE MATTER OF TORT CLAIM - PATRICIA A JOHNSON

Receipt was acknowledged of a Tort Claim from the Ken Nunn Law Office for Patricia A. Johnson for an accident of December 29, 2012 due to ice on Raceway Road. The claim has been scanned to Greg Steuerwald and John Parmley.

IN THE MATTER OF TORT CLAIM - PATRICIA A. JOHNSON

Receipt was acknowledged of a Tort Claim from Ken Nunn Law Office on behalf of Patricia A. Johnson for incident of December 29, 2012 when claimant was struck by an oncoming vehicle that crossed the center line due

to icy roads. The claim has been scanned to Greg Steuerwald and John Parmley.

IN THE MATTER OF TORT CLAIM - CHARLES BRADFIELD

Receipt was acknowledged of a Tort Claim from Ken Nunn Law Offices on behalf of Chares Bradfield for incident of March 29, 2013 on CR 825E. This has been scanned to Greg Steuerwald and John Parmley.

IN THE MATTER OF CORRESPONDENCE

Commissioner Palmer acknowledged receipt of the following:

Correspondence:

- 1. IDEM letter of May 7, 2013 giving notice that the Indiana Department of Environmental Management Office of Water Quality Facility Construction Section received a sanitary sewer permit application on May 3, 2013 from Mr. Paul C. Claire, Director Land Development Arbor Investments, LLC, as required by IC 13-15-1, and if approved the permit would allow the applicant to construct Winton Meadows, Section 3 in Avon, Indiana.
- 2. IDEM letter of May 7, 2013 giving notice that the Indiana Department of Environmental Management Office of Water Quality Facility Construction Section received a sanitary sewer permit application on May 3, 2013 from Mr. James Frey, Redwood Acquisitions LLC, as required by IC 13-15-3-1, and if approved the permit would allow the applicant to construct White Lick Creek Luxury Apartments in Danville, Indiana.
- 3. Maurer Surveying, Inc. has made application to the Avon Plan Commission for a development plan review for a project to be known as DPR 13-04 called the Residences on Ronald Reagan, a new apartment complex containing 11 apartment buildings and 4 villas in the Town of Avon, Indiana, on the east side of CR 1050 E, approximately 0.4 mile North of the intersection of CR 1050E and CR 100S.

Action needed/taken on the following:

- 1. Checks received and signed to the county: \$ 1,084.21 One Beacon Sheriff Vehicle Repair
\$ 2,608.46 One Beacon Sheriff Vehicle Repair
\$ 3,949.00 Waymire – Equipment Refund
\$ 6,162.00 Comcast Franchise
\$ 1,565.90 One Beacon Sheriff vehicle Repair
\$ 1,999.40 Danville Library-Book eye scanning
- 2. Commissioner Palmer signed vehicle titles for the following: None
- 3. Documents needing action: Bond Release: Nancy Eubank

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for April 20 to May 3, 2013 from Ron Love, Human Resources Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway reports for March 11 to March 15, 2013, March 18 to March 22, 2013, March 25, to April 5, 2013, April 8 to April 12, 2013, April 15 to April 19, 2013 April 22 to April 26, and April 28 through May 5, 2013 from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF PLANNING

Receipt was acknowledged of the Report of Collections for March 1 through March 31, 2013 and for April 1 through April 30, 2013 from Don Reitz, Planning Director.

Commissioner Whetstone moved to adjourn the Commissioners’ meeting at 10:55 AM Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Phyllis A. Palmer, President

Bob Gentry, Vice President

ATTEST: _____

Matthew D. Whetstone, Member

