

May 28, 2013

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, May 28, 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:

Bob Gentry)	
Phyllis A. Palmer)	Hendricks County Board of Commissioners
Matthew D. Whetstone)	
Gregory E. Steuerwald		Hendricks County Attorney
Cinda Kattau		Hendricks County Auditor
David Gaston		Hendricks County Surveyor
James Andrews		Hendricks County Assistant Engineer
Douglas Morris		Hendricks County Systems Manager
David Warren		Hendricks County Emergency Management Director
Kevin Cavanaugh		Hendricks County Facilities Manager
William Roche		Hendricks County Parks Manager
Jim Mardis		Hendricks County Clean Water
Catherine Haines		Hendricks County Court Administrator
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 Whetstone moved to approve the minutes of the April 23, 2013 and May 14, 2013 meetings, as corrected. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Whetstone moved to approve Claims #241399 thru 241741, #104474 thru 104908 and Direct Deposit #104532 thru 104983, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CR 600S & CR 700E ROUNDABOUT

Jim Andrews explained the location of the proposed roundabout at CR 600S and CR 700E is currently in the County as it is outside the Town of Plainfield. He stated Plainfield plans to pay for the construction of this roundabout and will maintain the roundabout. Greg Steuerwald explained a Hold Harmless Agreement could be adopted, however, if Plainfield would annex this area into the Town of Plainfield it would resolve this issue. Jim Andrews stated there will be 1.3 acres in the roundabout and inquired about the placing of dirt during the construction of the roundabout. There was discussion of the proposed roundabout. It was the consensus of the Commissioners for the Engineering Department to work with the town of Plainfield on this issue.

IN THE MATTER OF RONALD REAGAN PARKWAY

Jim Andrews presented the Revised Proposed Agreed Order on Case No. 2012-21299-Q NPDES # INR 09060 Hendricks County relative to a settlement offer regarding the erosion problems associated with the Ronald Reagan Parkway. IDEM asserts that any offer to compromise a claim or any acceptance of such offer does not bind or obligate the parties of this enforcement action in the absence of a final order of the agency. He explained this order is relative to the environmental issues with the water run-off from the bridge on Ronald Reagan Parkway and that the compliance is the responsibility of the contractor. Greg Steuerwald clarified the contractor had been put on notice and that there was a paper trail on notices to the contractor on the IDEM concerns. Commissioner Gentry moved to follow the recommendation of the Engineering Department and sign this agreement with IDEM for the Ronald Reagan Parkway bridge. Commissioner Whetstone seconded the motion and the motion was approved

unanimously 3-0-0.

IN THE MATTER OF MPO

Jim Andrews presented the Indianapolis Metropolitan Planning Organization (MPO) invoice in the amount of \$19,451 for the local dues for the MPO 2014 Unified Planning Work Program and stated the 2014 dues are the same as the 2013 dues. It was noted at their April 9, 2013 meeting the Commissioners had agreed to pay their 2014 MPO dues to assist in the budget planning process of the MPO.

IN THE MATTER OF COUNTY ROADS

Jim Andrews announced in a 2011 report the County has 20 less miles of County roads to maintain as a result of annexation by the towns

IN THE MATTER OF SR 267

Jim Andrews reported the scheduled meeting to discuss with the State the relinquishment of SR 267 had been cancelled and no new date has been scheduled.

IN THE MATTER OF PARK-2-PARK RELAY

Jim Andrew advised the Park-2-Park Relay planned for June 15, 2013 is requesting as a part of the relay to cross the Danville Conservation Club dam and explained some concerns on this matter. Park Superintendent Bill Roche explained this relay is run by the Parks Foundation and stated they have discussed the liability for this race with the County insurance agent John Parmley. Jeff Banning, Race Coordinator, explained the route that will go through several town parks and the County parks including Sodalis Park, the new Gibbs Park and McCloud Park. He stated they do not plan to go through the spillway, but will go around the bottom of the dam. It was the consensus of the Commissioners for Jim Andrews, John Ayers, Jeff Banning and Bill Roche to discuss the route for this race and bring back a final route plan to the June 12, 2013 meeting.

IN THE MATTER OF ADULT PROBATION

Kevin Cavanaugh explained the need to clean-up the basement of the adult Probation and presented the following proposals for this cleanup:

Clean up proposals:		
Midwest Remediation, Inc.		\$2,666.56
Wilds Restoration		\$3,928.31
First floor treatment		
Joe Powell Construction		\$1,370.00

He recommended Midwest Remediation, Inc. for the basement cleanup and Joe Powell Construction for the first floor treatment of the Adult Probation for a total amount of \$4,036.56. Commissioner Gentry moved to approve the clean-up on the Adult Probation basement and accept the proposals of Midwest Remediation, as they were the lowest proposal for clean-up and Joe Powell Construction for the first floor treatments in the total amount of \$4,036.56, as recommended by the Facilities Manager. Kevin Cavanaugh verified the funding for this work is in the 2013 budget. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER COURT HOUSE REMODEL

Kevin Cavanaugh explained our consultant for the court video systems is no longer in business and we have a new consultant working with the relocation of the court audio and visual system. They have given a quote for the following equipment and furnishings

Tech Electronics Video Systems:		
Temporary Magistrate Court	\$ 8,257.00	(Old video court)
Magistrate Court 2 video	\$ 6,037.00	
Superior 4 Court Video	\$24,719.00	
Superior 5 Court Video	<u>\$30,074.00</u>	
Total Court Video Systems	\$69,357.00	

Van Ausdall & Farrar Court Solutions		
Magistrate 1 Audio	\$ 2,897.98	
Magistrate 2 Audio	\$23,456.70	
Superior 4 Court Audio	\$16,345.32	
Superior 5 Court Audio	\$28,563.44	
ADA Hearing Impaired Audio	<u>\$ 5,896.00</u>	
(For Courts Listed above)		
Total Court Audio Systems	\$77,159.44	

Furnishings:		
Agati Litigant Tables (4)	\$15,316.00	

There was discussion of this request. Mr. Cavanaugh explained the request for 4 tables and described how they were aesthetically complementary to the existing furniture in the Court House. Commissioner Whetstone moved to approve and proceed with Court House remodel as approved in the 2013 budget for Tech Electronics Video Systems for the audio in Magistrate Court 2, Court 3, Court 4 and Court 5 in the amount of \$69,357.00 and Van Ausdall & Farrar for the Court Solutions in the amount of \$77,159.44 for audio in Magistrate 1, Magistrate 2, Superior 4 , Superior 5 and ADA hearing impaired Audio and the four tables in the about of \$15,316.00, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Kevin Cavanaugh explained they have closed the women’s rest room on the first floor of the Court House and will now have only one restroom that being a unisex restroom on the first floor. He stated they will have it well marked so everyone is aware of this change.

IN THE MATTER OF ANIMAL SHELTER

Commissioner Gentry announced the Commissioners have reorganized the Animal Control Department and have separated the animal control functions from the animal sheltering function. The animal control function will be led by Mary Ann Lewis. Ms. Lewis and the other animal control officers are reassigned to the Hendricks County Sheriff. The animal sheltering function will be managed by the interim shelter supervisor LaDonna Hughes and continue to report to the Commissioners. The animal control officers will have their offices at the Work Release Center. Ms. Lewis and Ms. Hughes are working together to make the transition.

Commissioner Palmer stated the Animal Control staff has worked with Misty Eyes Animal Shelter (Misty Eyes Pet Welfare League) on a fostering program. Animal Control and Misty Eyes have been doing an informal fostering program and now Misty Eyes has put it in writing.

Misty Eyes and Hendricks County Animal Control Shelter are forming a foster home partnership to help the homeless pets of Hendricks County.

- *HCAC shelter will send foster inquires to Misty Eyes for the application, screening and approval process.*
- *The animals that come into Misty Eyes foster system from HCAC shelter are the sole property and responsibility of Misty Eyes.*

- *Misty Eyes will supervise and support all of our foster families to insure the pets in their care are given proper medical treatment needed, are current on all vaccinations and are spayed/neutered as quickly as their health and age permits.*
- *Misty Eyes will advise foster families concerning Hendricks County's rules and regulations on appropriate pet guardianship. Misty Eyes will also supervise the foster families care of the animals to ensure that they are abiding by the county's rules.*
- *Misty Eyes gives permission to HCAC shelter to post our needs for foster families on their website and Facebook page. We also give permission to cross-post any adoptions or information from the Misty Eyes Facebook page to HCAC shelters Facebook page.*

Commissioner Palmer stated these are the type of positive relationships we need to promote in the animal world.

Commissioner Whetstone thanked Commissioners Palmer and Gentry for their diligent work on improving the functions at the Animal Control.

Tia Fox, Plainfield, presented a handout and explained the violations of Rule 13 at the Animal Shelter. She expressed concerns relative to the management of the Shelter and also her pleasure in the changes stated today.

Auditor Cinda Kattau stated the Animal Control has met all of the requirements of the State Board of Accounts and is audited by them on a regular basis.

Carolyn Slaughter, Plainfield, thanked the Commissioners for making this change at the Shelter. She presented a handout from Lynelle Cullen of Plainfield relative to her recent visit to the Animal Shelter and ask for the Commissioners to read.

Sheryl Sackett, Plainfield, expressed approval of the changes and requested the Commissioners to review the information in a handout that she presented.

Cathy Haep, Plainfield, inquired the status of the current Interim Animal Control Director position. She also asked if when this became a full-time position would it be posted and how would it be handled.

Commissioner Palmer stated they are continuing to work on these changes and other concerns at the Animal Shelter.

Cameron Johnson, Danville, stated the decision of the Commissioners to make changes at the Shelter is welcomed.

The Commissioners stated they are working on improving the Animal Shelter and that everyone be patient during this transition.

IN THE MATTER OF COUNTY TRAVEL POLICY

Mike Graham reported on July 10, 2012, the Commissioners changed the travel policy to state the County would not authorize any overnight accommodations for an employee attending a conference if the conference is less than 50 miles (previously 100 miles) from Danville. The policy states the Commissioners would consider exceptions. Treasurer Nancy Marsh and Auditor Cinda Kattau have advised that the Indiana Code IC 5-11-14-1 requires the County to cover the cost including accommodations of an elected official attending a State Called Meeting. Accommodations do not have to be provided if it is a one day conference that is less than 50 miles distance from the residence of the attendee. Also, the Indiana Code allows a number of deputies to attend a State Called Meeting. A memo was presented from the State Board of Accounts covering the requirement. Mr. Graham suggested changing our current County policy to comply with the IC 5-11-14-1. There was discussion of the

County travel policy. It was the consensus of the Commissioners to make the Indiana Code guidelines as a part of the County policy and for Mr. Graham to work on this change.

IN THE MATTER OF TEXT ALERT MESSAGING

Mike Graham reported he met with Michelle Roethe with Home Pages. Ms. Roethe sells advertisements for a yellow pages type phone book named HomePages. They have a texting service that could alert employees and citizens to emergencies and provides reminders of County meetings or events. Some practical examples are snow emergencies, official closings, Commissioners meetings or Park activities. A text message would be sent to anyone who signs up to receive the text. There are two parts of the program. There is the text message part and an advertising part in the HomePages to inform citizens of the texting program. The texting service is \$999.00 and the smallest add would be \$325.00 per year. Commissioner Whetstone acknowledged he had also met with Ms. Roethe on this matter and stated it could be beneficial to our employees, but would like to know more about the price. It was the consensus of the Commissioners for Mike Graham and Doug Morris to further evaluate this proposal and bring it back for further consideration. The Commissioners requested that they also keep Emergency Management Director Dave Warren involved in all discussions.

IN THE MATTER OF PICTOMETRY

Mike Graham reported the Assessor needs new aerial photos to update Pictometry. She proposes to do four flights (2013, 2015, 2017 and 2019) and each flight would cover half of the County. This approach allows her to manage the State's mandate to do a reassessment of ¼ of the County each year. The cost is approximately \$74,701.19 each year from 2013 thru 2020 with a total cost of \$597,609.50. This incremental approach allows her to keep within her budget. The problem with this approach is that it really damages the use of the aerals for other applications such as our GIS system. It would be extremely confusing for our customers and staff to try and use partial aerals of the County. To have aerals of the entire County it will cost an average of \$112,055.50 per year for a total of \$672,333.00. The total County wide aerals would be paid out over a 6 year period versus an 8 year period for the ½ County flights. The County wide flights produce compete County wide aerals every two years. The Commissioners have one line item 44000, Machinery & Equipment, with a \$145,000 appropriated but currently has no planned obligations. Doug Morris and he have talked about using a portion of this account for copiers and printers after awarding the RFP. Another line item the Commissioners have is 46000, Special Contracts, with a budget amount of \$100,000 with the only current obligation in this account is \$30,000 for Appian's contract. He requested consider using \$37,000 out of one of these accounts to cover the cost difference and presented a summary of the cost associated with the Pictometry options. It was the consensus of the Commissioners to continue Pictometry until the June 11, 2013 meeting.

IN THE MATTER OF DANVILLE RELAY FOR LIFE

Steve Johnson requested a proclamation Recognizing Relay for Life 2013 to be held June 7 and 8, 2013 at the Hendricks County 4-H Fairgrounds and Conference Complex. Commissioner Palmer read the Proclamation for Relay for Life:

*PROCLAMATION
RECOGNIZING
RELAY FOR LIFE 2013*

WHEREAS, cancer is a group of diseases characterized by uncontrolled growth and spread of abnormal cells, which if not controlled, can result in death; and

WHEREAS, 30,040 new cases of cancer are estimated to occur in the State of Indiana in 2013 and approximately 12,730 Indiana citizens are expected to die from cancer this year; and

WHEREAS, the American Cancer Society is a voluntary community-based health organization in Indiana, dedicated to eliminating cancer as a major health problem; and

WHEREAS, the Relay for Life is a community event held throughout Indiana, which presents an opportunity to dust off your camping gear, slip on your walking shoes and network with your business associates, family, and friends.

NOW, THEREFORE, We, the Hendricks County Board of Commissioners of the State of Indiana, do hereby recognize the RELAY FOR LIFE, in the town of Danville, the County of Hendricks, in the State of Indiana. We urge citizens to recognize and participate in the relay to be held at the Hendricks County 4-H Fairgrounds and Conference Complex in Danville, Indiana on June 7 and June 8, 2013.

This order entered on this 28th day of May, 2013.

(SEAL)

Signed)

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

Commissioner Palmer congratulated the Relay for Life volunteers in making citizens aware of cancer and of the progress they have made in survival rate. Mr. Johnson stated last year they raised over \$80,000 for cancer research. He also stated that Judge Coleman had agreed to read the proclamation during their opening ceremonies.

IN THE MATTER OF COPIERS / PRINTERS

Doug Morris requested the awarding of the RFP (Requests for Proposals) for the copiers / printers multi-functional devices for the County staff that were opened at the May 14, 2013 meeting be continued to the next meeting. It was the consensus of the Commissioners to continue the awarding of the RFP for the copiers/ printers to the June 11, 2013 meeting.

IN THE MATTER OF CLEAN WATER

Jim Mardis responded to the Commissioners request at their May 14, 2013 meeting to bring an agreement for the plan reviews and inspections for Clean Water. He presented an agreement with Butler, Farman & Seifert to do the County on-call Plan Reviews and Inspections for the Clean Water Department and explained the agreement. He clarified the fees. Surveyor David Gaston stated Christopher Burke will continue to do inspections for the surveyor. Commissioner Gentry moved to approve and sign the agreement with Butler, Farman & Seifert to do the County on-call Plan Reviews and Inspections for the Clean Water Department. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF WORK RELEASE

Greg Steuerwald presented a Professional Service Contract for the Work Release for approval and execution. This contract is a two year contract to commence on July 1, 2013 and remain in effect through June 30, 2015 and is in the amount not to exceed \$273,750. This agreement allows the Department of Corrections to house State work release people at the County Work Release Center. Greg Steuerwald stated he has reviewed this contract and has

a question for Bridgette Collins, Work Release Director. Auditor Cinda Kattau stated this contract was discussed with the Community Corrections Advisory Board at their last meeting. Commissioner Gentry moved to approve the Professional Service Contract for the Work Release, pending Attorney Greg Steuerwald talking with the Work Release Director Bridgette Collins to resolve a question. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0. Mr. Steuerwald stated he will talk with Ms. Collins and bring the contract back to the Commissioners.

IN THE MATTER OF DECLARATION FOR LOCAL DISASTER EMERGENCY

Commissioner Palmer explained that due to a time frame to meet a deadline for the County to apply for reimbursement for damages from the flood of April 19, 2013 the Commissioner needed to sign a Declaration for Local Disaster Emergency and stated they now need to ratify their action. She read the Local Disaster Emergency Declaration::

Local Disaster Emergency Declaration

Hendricks County, Indiana

Authority

Whereas, Hendricks County, Indiana has been impacted by or is immediately threatened by a (natural/technological/national or state security).

On April 19, 2013 at 6:00 a.m., Hendricks County is under a flood emergency.

Now, therefore, we, the Hendricks County Board of Commissioners, declare that a local disaster emergency exists in the County and that we hereby invoke and declare those portions of the Indiana Code which are applicable to the conditions and have caused the issuance of this proclamation, to be in full force and effect in the County for the exercise of all necessary emergency authority for protection of the lives and property of the people of this County and the restoration of local government with a minimum of interruption.

Reference is hereby made to all appropriate laws, statutes, ordinances, and resolutions and particularly to Indiana Code 10-14-3-29.

All public offices and employees of Hendricks County are hereby directed to exercise the utmost diligence in the discharge of duties required of them for the duration of the emergency and in execution of emergency laws, regulations, and directives – state and local.

All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and disaster services forces in executing emergency operations plans, and to obey and comply with the lawful directions of properly identified officers.

All operating forces will direct their communications and requests for assistance and operations directly to the Hendricks County Emergency Operating Center.

In witness, whereof, we have hereunto set our hand this 19th day of April, 2013.

Hendricks County Board of Commissioners

(SIGNED)

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

Jim Andrews advised he had met with representatives from FEMA to evaluate the damage from this flood. Commissioner Whetstone moved to approve and ratify the execution of the Local Disaster Emergency Declaration for Hendricks County, Indiana documentation as submitted. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COUNTY VEHICLES

Auditor Cinda Kattau referenced an email she had sent to the Commissioners relative to taxing employees with County take-home vehicles. She stated she wanted to comply with the IRS and expressed concerns about reporting taxable income to the IRS for take home vehicles by County employees. There was discussion of this concern. It was the consensus of the Commissioners to hold a workshop with the Commissioners, Fleet Manager, County Council President Jay Puckett, Sheriff Dave Galloway, Auditor Cinda Kattau and County Administrator to the Commissioners Mike Graham on June 11, 2013 in Room # 3 of the Government Center at 1 PM and authorize a meeting be set up and posted for this time.

IN THE MATTER OF 2014 HOLIDAY CALENDAR

Receipt was acknowledged of a request from Circuit Court for the 2014 holiday calendar as they are beginning to schedule court cases into next year. It was noted that 2014 will be an election year with days off for both the Primary Election and the General Election. A draft calendar was attached for review. There was discussion of the proposed calendar. Commissioner Whetstone moved to give employees an extra day off on Friday, December 26, 2014 for them to have a long holiday weekend. The motion died for lack of a second. It was the consensus of the Commissioners to continue the 2014 holiday calendar to the June 11, 2014 meeting.

IN THE MATTER OF PAUL WALTER

David Gaston reported Paul Walther of Carter Lake appeared before the Drainage Board this morning requesting assistance with the dam at Carter Lake and may be coming before the Commissioners on this request.

IN THE MATTER OF ATM - COURT HOUSE

Kevin Cavanaugh stated he had not met nor been contacted by Clerk D. J. Hoskins relative to installing an ATM in the Court House. It was the consensus of the Commissioners to continue consideration of an ATM in the Court House to the June 11, 2013 meeting.

IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of a request from James McBryant for a basic cell phone with texting capabilities for the coordinator at Cypress Manor. It was noted we have an open line that was turned in by the Extension Office, but we would have to order a phone for her as we have nothing available. There was discussion of this request. It was the consensus of the Commissioners to request more information from Mr. McBryant on this request.

IN THE MATTER OF CORRESPONDENCE

Commissioner Palmer acknowledged receipt of the following:

Correspondence:

- 1. Board of Directors Meeting Announcement from Cummins Behavioral Health Systems with agenda for their Thursday, May 23, 2013 meeting and the minutes of their April 25, 2013 meeting.
- 2. IDEM notice of permit application with plans and specifications for sanitary sewer for Innovation Boulevard Extension, Phase, Permit Approval No. 20660, Clayton, Indiana, Hendricks County.
- 3. An invitation from Downtown Danville to attend their 2nd annual free Historic Preservation Workshop on Thursday, May 30th at 6 – 8 pm in the Danville Town Hall

Action needed/taken on the following:

- 1. Checks received and signed to the county: \$ 300.00 Rokita Rent
- 2. Commissioner Palmer signed vehicle titles for the following: None

3. Documents needing action:

None

IN THE MATTER OF VETERANS AFFAIRS

Receipt was acknowledged of the City and State VSC’s Monthly Report for April 2013 from Lori Turpin, Veterans’ Service Officer.

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the Weights and Measures Monthly Report for April 15 thru May 15, 2013 from Charles Colbert, Weights and Measures Inspector.

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

Phyllis A. Palmer, President

Bob Gentry, Vice President

Matthew D. Whetstone, Member

ATTEST: _____

Judith Wyeth, Deputy Auditor
