

July 23, 2013

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, July 23, 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
- David Gaston Hendricks County Surveyor
- Gail Brown Hendricks County Assessor
- John Ayers Hendricks County Engineer
- Don Reitz Hendricks County Planning Director
- Douglas Morris Hendricks County Systems Manager
- David Warren Hendricks County Emergency Management Director
- Judith Wyeth Secretary to the Commissioners

NOTE: Auditor Cinda Kattau did not attend due to a death in the family.
Michael E. Graham did not attend as he was on vacation.

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 July 9, 2013 meeting, as corrected. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve the claims as submitted for payment on May 1, 2013. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF VACATION OF CR 251S

Attorney Andy Kult brought back the request for road vacation required for a portion of the County Owned CR 251S, in Guilford Township, within the Town of Plainfield. He stated at the previous meeting he presented a Quit Claim Deed for this portion of CR 251S and Greg Steuerwald was to check on the proper procedure to transfer a portion of this road to the adjoining Pace property. Greg Steuerwald stated he has checked the State Statute for vacation of road / right-of-way, and the Quit Claim Deed is acceptable. Commissioner Gentry moved to approve the vacation of a portion of CR 251S and execute the Quit Claim Deed, as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ASSESSOR’S OFFICE - PICTOMETRY

Assessor Gail Brown presented the revised contract with Pictometry and stated the two clauses requested at the July 9, 2013 meeting have been added. Attorney Greg Steuerwald stated he has worked with the Pictometry attorney and now has a contract that meets his approval and explained the changes to the contract. Commissioner Whetstone moved to approve the revised contract with Pictometry for the aerials of the County and allow the President to sign on behalf of the Commissioners. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF B&O EXPRESS 10KRUN - CLOSING ROADS

Jeff Smallwood presented his request for road closings for the 2013 B&O Express 10k Run along with a map of the proposed run and stated this event will again be sponsored by the IU Health. The run will be held on Saturday, September 14, 2013 and gave the following requests along with time frame:

- Road Closings:
- Ronald Reagan Parkway (from CR 100N to CR 200N – northbound only) 7:30 – 9:00 AM
 - CR 200N (from Ronald Reagan Parkway to Raceway Road) 7:45 – 9:15 AM
 - CR 1000E (from CR 200N to CR 300N) 7:45 – 9:00 AM
 - CR 1050E (from CR 100N to CR 200N) 7:45 – 9:30 AM
- “Road Closed Ahead” signs
- CR 900E and CR 200N for eastbound traffic
 - Raceway and CR 200N for westbound traffic
 - CR 1000E and CR 300N for southbound traffic
 - CR 100N and CR 1050E for northbound traffic

- Patrolmen (Hendricks County Sheriff – Captain Brian Tremper is contact)
- Ronald Reagan Parkway and CR 100N
 - Ronald Reagan Parkway and CR 200N
 - CR 1000E and B&O Trail Entrance
 - CR 200N and Wynbrooke Drive
 - CR 200N and CR 1050 E (or up the hill west of that)
 - CR 100N and CR 1050E (or at the back entrance to IU Health West)

There was discussion of the safety and security of the runners and of the citizens using these roadways. Mr. Smallwood stated this is basically the same route they have used in previous years. Commissioner Gentry moved to approve the request for road closures, as stated, for the B&O Express 10K Run on September 14, 2013.

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

IN THE MATTER OF SHILOH CREEK ESTATES

Joyce Stewart and Vicki Cadwell, residents of Shiloh Creek Estates, expressed their concerns for the poor condition of the roads within Shiloh Creek Estates and requested these roads be repaired. John Ayers explained the ratings of all County roads and for these roads. He stated they had repaired the entrance road to this subdivision, however, with the funds available and the condition of some of the other 773 miles of roads in the County and the 184 miles in subdivisions there was not sufficient funding to repair these roads at this time. The Commissioners explained they would check on these roads and thanked these citizens for making them aware of this problem.

IN THE MATTER OF 2014 BUDGET

It was noted the 2014 Commissioners’ budget had been emailed to the Commissioners earlier for their review and comment. There was brief discussion of the changes of transferring the funds in the lines for the copier maintenance and copier supplies to the Computer Department budget. Commissioner Whetstone moved to approve the 2014 budget, as presented, and submit to the Auditor. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Palmer announced the Commissioners would be meeting with the Council for a budget hearing at 1 PM on Tuesday, August 13, 2013.

IN THE MATTER OF BRIDGES NO. 19, NO. 123 AND NO. 175.

- John Ayers requested to send out RFQ (Request for Qualifications) for design of the following bridges
- Bridge No. 19, located on CR 400E south of CR 850N
 - Bridge No. 123, located on CR 400S east of CR 350W
 - Bridge No. 175, located on CR 400S east of CR 350W

Commissioner Whetstone moved to approve the request of the County Engineer to send RFQ for the three bridges stated. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF GIS

John Ayers presented the Authorization to Proceed with The Schneider Corporation for GIS Web Feature Service for the State of Indiana to access the Hendricks County GIS data that was discussed at the July 9, 2013 meeting. He explained this web feature service hosting would be funded with a \$6,000 grant that would fund this \$3,000 project and the remaining funds to be used by the County. He stated The Schneider Corporation is handling the County GIS project and would apply for the grant. Commissioner Whetstone moved to approve the Authorization to Proceed with The Schneider Corporation for hosting the GIS, subject to approval of the grant from the State, and authorize the President to sign the Authorization on behalf of the Commissioners.

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

IN THE MATTER OF BRIDGE NO. 127

John Ayers advised the bid letting for Bridge No. 127, located in Amo, was scheduled for September and they need to contract with a firm for the construction inspections. He recommended United Consulting and requested to prepare a contract with United for the construction inspections. There was discussion of United Consulting doing the inspections as they were the designer for the bridge. Mr. Ayers stated this is a Federal Aid project and INDOT will oversee both the construction and the inspections of this bridge project. Commissioner Palmer moved to approve the County Engineer's recommendation to negotiate a contract with United Consulting for construction inspections of Bridge No. 127. The motion died for lack of a second. Commissioner Whetstone moved for the County Engineer to move forward with RFQ (Requests for Qualifications) for inspections of Bridge No. 127. Commissioner Gentry seconded the motion and the motion was approved 2-1-0 with Commissioners Whetstone and Gentry voting aye and Commissioner Palmer voting nay.

IN THE MATTER OF HIGHWAY

John Ayers reported the Highway crews have started paving County roads and they will be paving for the next few weeks.

IN THE MATTER OF EAST CAMPUS ROAD

John Ayers advised they continue to have quality issues with the East Campus Road and the bond posted by the contractor will soon expire. He stated the material that was provided by one of the suppliers appears to be substandard and this is causing the problems with the pavement. He recommended they prepare a letter to send to the contractor advising the contractor that he needs to replace the entire road. Mr. Ayers stated this will be an inconvenience to the County facilities located at the East Campus, but this road is inferior and needs to be replaced before the bond expires. It was the consensus of the Commissioners for the County Engineer to proceed with notifying the contractor for the East Campus Road that the entire road needs to be replaced.

IN THE MATTER OF JAIL

John Ayers stated he had signed the Change Order No. 1 in the amount of \$25,000 for several items for the jail renovation that needed to be done in a timely manner. He also advised they will soon present Change Order No. 2 for additional work required on the elevator in an amount of under \$20,000. Commissioner Gentry moved to approve Change Order No. 1 for the jail renovation in the amount of an additional \$25,000 and ratify the signing

by the County Engineer. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EAST CAMPUS

Commissioner Whetstone reported new facilities for the Hendricks County Solid Waste was discussed at a meeting of the Solid Waste earlier today and requested a map of the East Campus to evaluate any space available at that location. John Ayers responded they would provide a map for his review.

IN THE MATTER OF REGIONAL ECONOMIC DEVELOPMENT DISTRICT

Mike Graham stated in the Graham Report he had attended a meeting on July 10, 2013 with County Council Member Nancy Johnson and Economic Development Executive Director Cinda Kelley to talk about the formation of a multi-county Economic Development District (EDD). The proposed EDD could include Boone, Clinton, Hendricks, Montgomery and Tippecanoe Counties. Currently, there are 11 EDD's in Indiana. Generally an EDD can strengthen local efforts by promoting a region, attracting more federal and state resources and developing joint economic development initiatives. When companies evaluate a new site they look at regions and not a specific county, town or city. The initial cost of paying the Hendricks County participation in this initiative would come from the Hendricks County Partnership. Representatives from these five counties had previously met when Eric Wathen was a County Commissioner and at that time he expressed Hendricks County support for the program.

IN THE MATTER OF JOINT MEETING

The Graham Report advised Council Member Nancy Johnson has recommended we consider having a joint meeting between the Commissioners and the Council as it has been a long time since there was a joint meeting. Former Commissioner Dave Whicker's prime directive for a joint meeting was to not meet unless we had specific topics and the topics should be policy issues. There was discussion of a joint meeting. It was the consensus of the Commissioners there was no need for a joint meeting, at this time.

IN THE MATTER OF BROWNSBURG NORTH ANNEXATION

The Graham Report confirmed on July 19, 2013, the Commissioners received a letter from Ann Graham (not related to Mike Graham) asking the Commissioners to sign the petition to oppose the Brownsburg North Annexation. There was a brief discussion of the letter. Commissioner Whetstone pointed out the letter requested citizens living in the proposed annexed area to sign and that while he lives in Brownsburg he is not in the proposed new annexed area, and that both Commissioner Gentry and Commissioner Palmer live in other parts of the County, well outside the proposed annexed area, and therefore none of them are eligible to sign this petition.

IN THE MATTER OF EMERGENCY MANAGEMENT

Lise' Crouch reported they have a deadline of July 29, 2013 to apply for State Disaster Relief Fund (SDRF). She reported expenses were incurred from the April 2013 heavy rains/floods by several jurisdictions as well as Hendricks County infrastructure to a sum in excess of \$2,888,000.00. She stated she had applied for the jurisdictions to the State for FEMA funding assistance to try to re-coup some of the expenses, however, the State did not reach the required damage amount that Hendricks County and several others have. As a result, those counties reaching that quota are eligible for State Disaster Relief Funding. The county departments eligible have

prepared the applications for the preliminary submittal July 29, 2013 and presented the necessary documents ready for the Commissioners review and the President's signature. Ms. Crouch apologized for the short notice on the SDRF, but stated they just had their meeting with the State last week and were informed of the preliminary deadline. She also stated they are working with the towns of Danville, Avon and North Salem as the total damage to Hendricks County was over three million dollars. Commissioner Whetstone moved to approve the State Disaster Relief Fund application 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.

David Warren presented the Emergency Management Performance Grant (EMPG) and explained this is the annual assessment the State does of the EMAs to determine performance compliance of each county EMA. The state "grades" the EMA on accomplishment of specified goals each year and depending on the final assessment the county may receive up to ½ of the wages paid three EMA personnel for the assessed year. He stated this grant will reimburse the County for a portion of the two staff members of the Hendricks County Emergency Management office. He stated this grant also has a July 29, 2013 deadline for application. Commissioner Whetstone moved to approve and sign the Emergency Management Performance Grant, as presented, to reimburse the County for a portion of the salary of the Emergency Management staff. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF GOVERNMENT CENTER PARKING LOTS

Receipt was acknowledged of an email from Laura Parker, Assistant Danville Town Manager, advising she is on the committee organizing the 2nd Annual Hendricks County Half Marathon sponsored by the Danville Parks & Recreation Department. The Start/Finish line is at the intersection of Washington and Broadway. Because of its proximity, they would like to know if the County would allow cars to be parked in the parking lots at the Government Center on Saturday, September 14, 2013 between 6 AM and noon. She stated those using the parking lots would be either race participants or volunteers and there would be no overnight parking and no one parking in the grass. It was the consensus of the Commissioners to approve participants and /or volunteers to park in the parking lots at the Government Center for the 2nd Annual Hendricks County Half Marathon on Saturday, September 14, 2013.

IN THE MATTER OF AMENDED USERFEES FOR COURT HOUSE

It was noted Mike Graham, Sheriff Dave Galloway, County Engineer John Ayers and Facilities Manager Kevin Cavanaugh have all worked together to revise the Amended User Fees for Hendricks County Court House and a draft copy was provided for review and comment. There was discussion of the revised draft ordinance and if there was need for a waiver clause. It was also noted this is an ordinance and will need to be advertised for a public hearing. Commissioner Gentry moved to approve the draft ordinance for Amended User Fees for the Court House with the removal of #12 for waiver of fees and to advertise for a public hearing on August 13, 2013 at 9 AM. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SR 267 BRIDGE

Ann Engelhardt, Avon School Board, read a letter stating several concerns with replacement of the bridge on SR 267 over the CSX tracks that would eliminate / relocate the entrance to the Avon School Transportation Center and their concern for the safety and security of the 8,800 students in their school system.

Pam DeWeese, Avon School Board, requested for the Avon Schools to be a part of the design of the SR 267 bridge over the CSX tracks and expressed objection to closing the drive/road into their transportation center due to the large number of school related vehicles that use this on a daily basis.

The Commissioners expressed appreciation to these citizens for bringing these concerns to their attention.

IN THE MATTER OF WESTRIDGE ESTATES

Jim Smith, developer of Westridge Estates, gave a brief history of this proposed development near Belleville He presented pictures of his confinement area for his equipment that recently received a zoning violation from the Hendricks County Zoning Inspector and explained his attempt to comply before the deadline. Planning Director Don Reitz explained the zoning complaint and the time frame for Mr. Smith to comply. It was the consensus of the Commissioners that this was a Planning Department matter and not the Commissioners matter.

IN THE MATTER OF TORT CLAIM - JENKINS

Receipt was acknowledged ofa Tort Claim from Attorney Matthew S. Dumas, of the law firm of Hostetter & O’Hara, for Pamela Jenkins incident of June 21, 2013 when she fell on the steps in the Hendricks County Court House. It was noted we have an incident report for this incident that was completed by William Shrewsbury of the Hendricks County Sheriff’s Department on that date that has been sent to Greg Steuerwald and John Parmley along with this Notice of Tort Claim.

IN THE MATTER OF CORRESPONDENCE

Commissioner Palmer acknowledged receipt of the following:

Correspondence:

- 1. IDEM notice of Permit Application with plans and specifications for Hendricks County Bridge No. 48 sanitary force main relocation permit approval No. 20661. The proposed sanitary sewer system to be located along CR 200N near the intersection with CR 1050E in Hendricks County.
- 2. IDEM Notice of Permit Application with plans and specifications for sanitary sewer for Northfield at Wynne Farms, Section IV Permit Approval No. 20721, Brownsburg, Indiana, Hendricks County.
- 3. Letter of July 18, 2013 from Attorney Joseph D. Calderon, Bose McKinney & Evans, advising of a Public Hearing by the Plainfield Plan Commission of RZ-13-002: Versus Partners LLC, for the proposed development of 34.07 acres of property located approximately3317 South Ronald Reagan Parkway and 3409 E CR 1050 W. This rezoning request is for a change of zoning from AG and C-1 to I-2 Office//Warehouse Distribution Industrial will be heard at 7 PM on Monday, August 5, 2013

Action needed/taken on the following:

- | | | |
|---|-------|--------------------|
| 1. Checks received and signed to the county: | \$300 | Rokita Office Rent |
| 2. Commissioner Palmer signed vehicle titles for the following: | None | |
| 3. Documents needing action: | None | |

IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for June 30 to July 13, 2013 from James McBryant, Cypress Manor Director.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for July 8 through July 23, 2013 from Ron Love, Human Resources Director.

IN THE MATTER OF VETERANS AFFAIRS

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

IN THE MATTER OF EXECUTIVE SESSION

Commissioner Palmer announced the Commissioners would have an Executive Session following the Regional Sewer Board meeting today at 11:30AM.

IN THE MATTER OF WORKSHOIP

Commissioner Palmer announced the Commissioners would attend a workshop in Room #3 at 1 PM today to discuss purchase or lease of County copiers and printers with representatives from Van Ausdall & Farrar.

Commissioner Gentry moved to adjourn the Commissioners’ meeting at 10:50 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
