

August 27, 2013

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, August 27, 2013 with a quorum of two (2) Commissioners in the Commissioners’ Meeting Room on the first floor of the Hendricks County Government Center with the following in attendance:

Bob Gentry	)	
Matthew D. Whetstone	)	Hendricks County Board of Commissioners
Gregory E. Steuerwald		Hendricks County Attorney
Cinda Kattau		Hendricks County Auditor
Theresa Lynch		Hendricks County Recorder
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Don Reitz		Hendricks County Planning Director
James McBryant		Director Cypress Manor
Douglas Morris		Hendricks County Systems Manager
Tammy Brinkman		Hendricks County Director of Nursing
Kevin Cavanaugh		Hendricks County Facilities Manager
Jim Mardis		Hendricks County Clean Water Director
Alex Getchell		Hendricks County Zoning Technician
Judith Wyeth		Secretary to the Commissioners

NOTE: Commissioner Palmer did not attend this meeting due to complications from surgery.

Commissioner Vice President Gentry 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 August 13, 2013 meeting, as presented.

Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF CLAIMS

Commissioner Whetstone moved to approve Claims #243437 thru 244128. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF TRAFFIC STUDIES - SPEED LIMITS

John Ayers reported they have done a traffic study in the Pheasant Run Subdivision that currently has no speed limit posted. Based on this traffic study the Engineering Department recommends a speed limit of 25 mph for Watkins Lane and Pheasant Run Drive in the Pheasant Run Subdivision. Mr. Ayers requested to advertise for a public hearing to establish a speed limit ordinance for these two roads. Commissioner Whetstone moved to approve advertising for a public hearing on September 24, 2013 for a 25 mph speed limit ordinance for Watkins Lane and Pheasant Run Drive in the Pheasant Run Subdivision. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

John Ayers reported they have done a traffic study on CR 350W. Based on this traffic study the Engineering Department recommends a speed limit of 50 mph for CR 350W from CR 200S to CR 400S. Mr. Ayers requested to advertise for a public hearing to establish a speed limit ordinance for a portion of CR 350W. Commissioner Whetstone moved to approve advertising for a public hearing on September 24, 2013 for a 50 mph speed limit ordinance for CR 350W from CR 200S to CR 400S. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF JAIL RENOVATION

John Ayers explained during the jail renovation they found they are having a condensation problem in the area of the detective offices at the jail and may need additional money to resolve this problem. He stated they have been using their contingency money, however, it has almost been depleted. He will keep the Commissioners

posted of this matter and the cost involved.

IN THE MATTER OF BRIDGE NO. 127 - INSPECTIONS

John Ayers stated the Engineering staff and Commissioner Whetstone have reviewed the proposals received for inspections of Bridge No. 127, located near Amo. They rated the engineering proposals as follows:

- 1<sup>st</sup> Crawford, Murphy and Tilley (CMT)
- 2<sup>nd</sup> Cross Roads Engineering
- 3<sup>rd</sup> a tie with DS Engineering and Clark Dietz

Mr. Ayers recommended CMT for the inspections of this bridge. Commissioner Whetstone moved to concur with the scoring and the recommendation of the County Engineer and for the Commissioners to sign the summary of scores for the inspection of Bridge No. 127 and forward to INDOT. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF ORDINANCE NO. 2013 -16  
TZA 01-13 AN AMENDMENT TO THE HENDRICKS COUNTY ZONING ORDINANCE  
BY AMENDING TABLES 4.4 AND 4.5

Alex Getchell, Zoning Technician, presented TZA 01-13 An Amendment to the Hendricks County Zoning Ordinance by amending Tables 4.4 and 4.5 residential and non-residential lot standards subsection 4.7 (D) lot standards, Chapter 7 Development Standards. A proposal to amend Section 7.12 (A) ((3) Accessory Setback, changes to allow accessory uses in AGR – Agricultural Residential zoning districts and lawfully existing accessory structures to be located closer to the front lot line than the principal use and to amend footnote 1 in Tables 4.4 and 4.5 residential and non-residential lot standards and footnote 1 in Subsection 4.7 (D) Lot Standards to reflect the changes to the necessary setback. He explained the Zoning Department had received 23 requests for exceptions to the ordinance for this type of change with 22 of the requests being approved and they are now requesting that this ordinance change be made so citizens will not have to go through the variance process for the change. He reported the Plan Commission held a public hearing on August 13, 2013 and sends this request with a favorable recommendation of 5-1-0. Commissioner Whetstone moved to adopt TZA 01-13 the amendment to the Hendricks County Zoning Ordinance, as recommended by the Plan Commission, as Ordinance No. 2013 -16. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF ORDINANCE 2013 - 17  
VACATION OF A PORTION OF MARKET STREET IN BELLEVILLE

Commissioner Gentry announced a Public Hearing has been duly advertised for 9:00 AM for a request for Vacation of a Public Alleyway for a portion of Market Street, located in Belleville, for Adam M. Parsons and stated it was now 9:20 AM. Attorney Lee Comer presented this request for the vacation of the unimproved portion of Market Street that extends easterly from CR 200E to its terminus, in Belleville, Indiana, which is bordered on the east by petitioner’s property and explained the location and the petitioner’s request. Commissioner Whetstone moved to open the public hearing for the vacation of a road. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

Charles Carpenter, a member of the Bellville Church of Christ, gave a brief history of this unimproved street

and stated the Church of Christ, which is the adjoining property, has no objection. There was discussion of the legal, as presented. Commissioner Whetstone moved to close the public hearing for the vacation of a portion of Market Street in Belleville. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0. Commissioner Whetstone moved to approve the vacation of a portion of Market Street in Belleville, pending verification of the legal, as Ordinance 2013 – 17. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

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IN THE MATTER OF RESOLUTION NO. 13 - 11  
IN THE MATTER OF SYCAMORE SERVICES - LINK

Pat Cockrum, Executive Director Sycamore Services, presented the Federal Section 5311 Rural and Small Urban Transit Assistance for Operating Capital and intercity application package for calendar year 2014. He explained this grant application is for funding for Link Hendricks County and is basically the same as the grant in previous years. He stated this is a local matching grant and explained the monies they have used to match this grant and that a resolution is required for approval. Commissioner Whetstone moved to approve the Federal Section 5311 Rural and Small Urban Transit Assistance for Operating Capital and intercity application package for the calendar year 2014 and to adopt as Resolution No. 13-11 for Link Hendricks County. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

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IN THE MATTER OF FOREST LAKE

Ron Richards, a resident of Forest Lake, gave a brief history of Forest Lake that was built in 1945 and explained the growth of new developments around this area. He stated DNR (Department of Natural Resources) had inspected the dam at Forest Lake and they have given the dam a bad rating indicating it needs repairs or would be decommissioned by the DNR. Mr. Richards stated they are trying to get the USDA to help with funding and would need for the County Commissioners to assist in the application process. He stated they expressed the dangers that might occur if there is a breach in the dam. He also explained possible health hazards if the lake was drained. He requested County funding and a Commissioner sponsor for applying for a grant to maintain the dam.

Carolyn Richards, Lake Forest Estates, expressed concerns for her home and property values without the lake.

Jay White, Lake Forest Estates, explained his home on this lake had been his residency for over 40 years and the need to keep the lake and make the dam safe for the 14 homeowners on this lake. He felt the County had some obligation to help fix the dam because the developer, Paul Walters, appeared at the public hearing for the adjoining subdivision, Woodlands Heights, and expressed his concerns. Mr. White said Mr. Walters was concerned about the impact of the subdivision on Forest Lake. At the public hearing he was told there would be no impact. Now there is an impact because DNR has classified the Forest Lake dam as a high hazard dam because there are houses below the dam.

Jill Byers, Lake Forest Estates, expressed how the homeowners want to work together to preserve this lake and dam.

There was discussion that there were no dollar amounts for repair/ reconstruction of the dam. It was the consensus of the Commissioners for those concerned to obtain estimates for repair and reconstruction of the Forest

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Lake dam and bring back for further consideration for grant application.

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IN THE MATTER OF RECORDER'S OFFICE – ELECTRONIC FILING

Mike Graham reported the Recorder's Office is seeking approval for the Simplifile contract for electronic recording of documents in the County. He stated County Recorder Theresa Lynch has sent this contract to Greg Steuerwald for his review. Mr. Steuerwald explained some changes made on the contract and that Ms. Lynch was agreeable with these changes. Theresa Lynch explained this software will permit electronic filings of documents in the Recorders office that are currently provided by US Mail. She stated there is a fee for each document filed in the Recorder's office, however, with the electronic filings they will be required to pay for the filing and also for the electronic filing, but at no cost to the County. There was discussion of the charges to the public for electronic filings with this contract that will provide an additional service for citizens. It was the consensus of the Commissioners to continue the Simplifile contract for the Recorder's office to the September 10, 2013 meeting.

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IN THE MATTER OF FINANCIAL CONSULTING

Mike Graham presented an amended proposal for general financial consulting from Greg Guerrettaz of Financial Solutions Group (FSG) . He stated this proposal was continued from the last meeting in order to have a "not to exceed" amount in the contract. This "not to exceed" amount of \$25,000 is now in the proposal. Auditor Cinda Kattau stated Greg Guerrettaz of FSG has provided financial consulting for the County over the past 15 years, however, there has never been a contract and now the County Council has requested a contract for this financial consulting service. There was discussion of this service. It was the consensus of the Commissioners to continue the proposal from FSG to the next meeting on September 10, 2013.

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IN THE MATTER OF USE OF COURT HOUSE

Mike Graham noted on February 12, 2013 Judy Pingel requested approval for use of the Court House rotunda for the annual Arts Council Gala. They are planning to serve hors d'oeuvres beginning at 5:30 PM with live music from 5 – 7 PM in the Royal Theater followed at 7:30 PM by a program with Phil Gulley in the Royal Theater. They are requesting use of the Court House rotunda on Thursday, September 5, 2013 for three hours, 5 – 8 PM, for setup and take down. They anticipate 200 supporters will attend the event. She is willing to pay the new charges for custodial and security in the Court House as approved August 13, 2013 as Ordinance No. 2013-13 – Amended User Fees for Hendricks County Court House. It was the consensus of the Commissioners to approve use of the Court House for the Arts Council Annual Gala, in accordance with Ordinance No. 2013-13 subject to them working out the security charges by the Sheriff Department.

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IN THE MATTER OF COUNTY WIDE GUIDES

It was noted Tim Greevenstreet has again sent a request for a letter of support from the Commissioners for the next publication of the Hendricks County Wide Guides. This will be the tenth edition for Hendricks County of this booklet that contains a lot of information about Hendricks County. This booklet is funded from the various vendors listed in the book and at no cost to the County. Commissioner Whetstone moved to approve and sign the letter to begin the tenth edition of the County Wide Guides for Hendricks County and the welcome letter from the Commissioners that will be printed in the front of each booklet. Commissioner Gentry seconded the motion and

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the motion was approved unanimously 2-0-0.

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IN THE MATTER OF HEALTH DEPARTMENT – MEDICAL BILLING

Tammy Brinkman explained the Service Agreement for Medical Billing & Accounting for Hendricks County Health Department that will assist in their billing for vaccinations and inoculations. She stated this agreement had been approved by the Hendricks County Health Board. She also stated this would be funded from the Child Health Clinic funds. There was discussion of this contract and the termination conditions. Commissioner Whetstone moved to approve the Service Agreement for Medical Billing and Accounting, subject to Attorney Greg Steuerwald working on the termination language with specifics to get in and out of the contract. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

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IN THE MATTER OF AVON / WASHINGTON TOWNSHIP

Mike Graham reported he had attended an Avon committee meeting on August 14, 2013 to talk about the reorganization of Avon with Washington Township. Avon and Washington Township are trying to reorganize into one unit of government. The term urban applies to the existing Avon corporation boundaries and rural applies to Washington Township outside of Avon. If the consolidation takes place the school and the library would lose some money. Evidently, there is push back from some of the rural area folks because they see this loss of revenue a potential for increased taxes. Also, it is hard to for the rural folks to see a direct benefit. The primary focus of the discussion was trying to figure out what services that Avon would provide that would benefit the rural areas in a meaningful way in order to reduce the opposition. Because Avon has no sewer or water services and they were primarily looking at police, highway and drainage services. They gave the assignment to Ryan Cannon to assess the highway and drainage services and Jack Miller is to look at police. Included in the assignment is looking at the level of service and the revenues for services currently provided by the County. He stated that while the discussion was primarily on services, after listening to Dave Jackson that Avon’s primary motivation for consolidation is trying to get planning and zoning authority over the rural area. Without some major zoning controversy like a landfill or steel mill petition it would be extremely hard to sell planning and zoning as a benefit to the residents of the rural areas. He stated the next meeting is September 17, 2013. It was the consensus of the Commissioners for Mike Graham to continue attending these meetings.

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IN THE MATTER OF PICTOMETRY

Mike Graham announced on August 15, 2013 we presented the new Pictometry to staff from Avon, Brownsburg, Danville and Plainfield. It a very impressive product and the towns are interested in using it. He stated he plans to have a follow-up meeting with the town managers to talk about the cost. He recommended we charge each of the towns \$9,338.58 annually for 6 years. The original Pictometry proposal would have had ½ of the County flown every other year for an average annual cost of \$74,701.18. This basic cost is what it would take to meet the State requirement of reassessing a quarter of the County each year. By flying the entire County every two years the average annual cost would be \$112,055.50. The difference is \$37,354.32 or \$9,338.58 for each town per year. It was the consensus of the Commissioners to present this recommendation to each town.

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IN THE MATTER OF COPIERS / PRINTERS

Mike Graham reported Doug Morris has worked with Lori Watson, Van Ausdall & Farrar, and they have met with most of the department heads to establish a reduction in print devices. They were successful in getting a substantial reduction in some departments and not so much in others. Ms. Watson was able to reduce the number of print devices from 253 to 147 and they have developed recommendations on consolidating the fleet of print devices used by the various Hendricks County departments. The process they used was to meet with each of the department heads to determine their needs and focus on the reduction of the number of print devices. There was good cooperation and the total number of devices was reduced from 253 to 147. This is an 80.49% reduction in inkjets, a 34.13% reduction in black lasers, a 28.57% in color lasers, a reduction of 93.75% in faxes and a 10% increase in multi-function print centers (copiers). The total projected annual cost savings would be \$10,422.57. The projected annual lease and maintenance payment would be \$81,207.84 compared to a previous average annual cost of \$91,630.41 (2011 & 2012). With the implementation of this option we will be able to obtain data on the number of copies and the cost of all print devices used. He presented the three options for the Commissioners consideration:

Van Ausdall & Farrar Option	Greater Reduction Option	The Modified Option
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Mr. Graham recommended we use the Van Ausdall & Farrar Option as it starts the process of getting our equipment changed out and we will begin to receive better data on all the print devices. With the better data we will be able to give the department heads a better understanding of their needs and where effective changes can be made. Commissioner Whetstone moved to allow staff to fund the stated number of leasing multi-functional units in the amount of \$81,207.84 from Van Ausdall & Farrar and allow Doug Morris to sign the required documents on behalf of the Commissioners. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

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IN THE MATTER OF 70 WEST COMMERCE PARK

Attorney Bruce Donaldson, Barnes & Thornburg advised he had brought the required closing documents for 70 West Commerce Park for final approval and execution. He stated signatures would be needed of the three Commissioners, Redevelopment Commission President Harold Hiser and Secretary Linda Watson Stansbury and Economic Development Commission Secretary Nancy Marsh. It was the consensus of the Commissioners to approve the closing documents for 70 West Commerce Park and to sign the documents after the meeting.

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IN THE MATTER OF ANIMAL SHELTER

Receipt was acknowledged of a letter from Attorney At Law Douglas W. Meyer with a copy of the Order Approving Personal representatives' Final Report and Accounting Petition to Allow Accounting Petition for Order Approving Distribution and Closing Estate, Estate of James C. Neal. along with a cashier's check in the amount of fourteen thousand four hundred seventy dollars and fifty eight cents (\$14,470.58) payable to the Hendricks County Commissioners for the Hendricks County Animal Shelter.

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IN THE MATTER OF VISITOR

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Commissioner Gentry welcomed Hamilton County Commissioner Mark Heirbrandt to the meeting today.

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IN THE MATTER OF CORRESPONDENCE

Commissioner Gentry acknowledged receipt of the following:

Correspondence:

1. Comcast statement representing payment for the period of April – June 2013 revenue category report for Hendricks County franchise payment in the amount of \$6,056.57.
2. IDEM notice that the Indiana Department of Environmental Management (IDEM), Office of Water Quality Facility Construction Section has received a sanitary sewer permit application on August 8, 2013, from Mr. Kenneth R. Brasseur, West Avon, LLC as required by IC 13-15-3-1. If approved by IDEM the permit would allow the applicant to construct a sanitary sewer for Four Oaks, Section 1, in Danville, Indiana.
3. Bose McKinney & Evans has sent notice they represent Verus Partners LLC in connection with its proposed development of approximately 55 acres of property located at approximately 2250 South Ronald Reagan Parkway. They propose to rezone the subject property from the existing Commercial G-C and C-1 zoning districts to the Industrial 1-2 Office Warehouse Distribution zoning district. This is scheduled to come before the Plainfield Plan Commission on Thursday, September 5, 2013 at 7 PM in the Plainfield Municipal Building, 206 West Main Street, Plainfield, Indiana.
4. Notice from Confirm Delivery, a division of DMS (Diversified Mail Service) our postal provider that they will be increasing postage and supply costs effective October 1, 2013. However, even with this increase we will continue to obtain a minimum net savings of \$0.072 per piece and a potential net savings of \$1.19 per piece on confirmed delivery mailings.
5. IDEM notice the application, plans and specification and supporting documents for Danville Commons with the Construction Permit Approval No. 20766, which applies to the construction of the proposed sanitary sewer system to be located along the west side of CR 200E, approximately 815 feet north of the intersection with US 36 near the Town of Danville, Indiana, Hendricks County.
6. IDEM notice the application, plans and specification and supporting documents for Persimmon Grove, Section 2, with the Construction Permit Approval No. 20776, which applies to the construction of the proposed sanitary sewer system to be located 900 feet west of CR 1050 East and approximately 1,200 feet south of CR 200N in Avon, Indiana, Hendricks County.
7. A letter from Indiana Department of Environmental Management (IDEM) Office of Water Quality Facility Construction advising they have received a sanitary sewer permit application on August 15, 2013 from Mr. Mike Mance, Paragus LLC as required by IC 13-15-3-1. If approved by IDEM the permit would allow the applicant to construct a sanitary sewer for Bailey Park in Brownsburg, Indiana.

**Action needed/taken on the following:**

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| 1. Checks received and signed to the county:                    | \$ 6,056.57 Comcast Franchise<br>\$14,470.58 Estate of James C. Neal |
| 2. Commissioner Palmer signed vehicle titles for the following: | None   |
| 3. Documents needing action:                                    | None   |

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IN THE MATTER OF CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for August 11 to August 22, 2013 from James

McBryant, Cypress Manor Director.

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IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for August 12 through August 23, 2013 from Ron

Love, Human Resources Director.

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IN THE MATTER OF HIGHWAY

Receipt was acknowledged of four weekly Highway reports for July 29 thru August 23, 2013 from Curt

Higginbotham, Highway Superintendent..

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IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the Weights and Measures Monthly Report for July 15 thru August 25, 2013

from Charles Colbert, Weights and Measures Inspector.

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IN THE MATTER OF VETERANS AFFAIRS

Receipt was acknowledged of the City and State VSC's Monthly Report for July 2013 from Lori Turpin,

Veterans’ Service Officer.

IN THE MATTER OF LUNCH

Commissioner Gentry announced the Commissioners would be guests for lunch at Cypress Manor today at noon.

Commissioner Whetstone moved to adjourn the meeting at 10:55 AM. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

Phyllis A. Palmer, President

Bob Gentry, Vice President

Matthew D. Whetstone, Member

ATTEST: Judith Wyeth, Deputy Auditor

