

September 10, 2013

The Hendricks County Board of Commissioners met in regular session at 9:08 AM on Tuesday, September 10, 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
Tyler Starkey		Hendricks County Acting Attorney
Cinda Kattau		Hendricks County Auditor
David Gaston		Hendricks County Surveyor
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
James McBryant		Director Cypress Manor
Douglas Morris		Hendricks County Systems Manager
Kevin Cavanaugh		Hendricks County Facilities Manager
Jim Mardis		Hendricks County Clean Water Director
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 August 27, 2013 meeting, 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 #243199 thru 244420, #105377 thru 105428. #105429 thru 105480 and Direct Deposit #107673 thru 108114 and #108115 thru 108561as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RECORDER’S OFFICE - CONTRACT

Recorder Theresa Lynch presented the Simplifile contract for electronic recording of documents at the last meeting, however this contract for the Recorder’s Office was continued in order to obtain additional information on this electronic recording of documents. Ms. Lynch had explained this will be a service available to our citizens and title companies that will enable recording documents much easier for them. Commissioner Whetstone stated he had discussed this contract with the County Recorder and now felt comfortable with approving. Commissioner Whetstone moved to approve the Simplifile contract, as requested by the County Recorder, 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 FINANCIAL CONSULTING - FSG

Mike Graham advised at the last Commissioners meeting the Commissioners asked about previous annual payments made to Greg Guerrettaz from Financial Solutions Group (FSG) for the general financial consulting regarding his financial services to the County. He presented a summary of payments made from 2009 to 2013 from both the General Funds and Specific Project (Drains & TIF’s). The financial services provide by FSG are driven by specific projects and as a result the annual payments have varied over the years. The projects are generally involving economic development projects like Westpoint and 70 West Commerce Park, located at SR 39 and I-70 (Exit 59). The proposed contract covers the routine financial assistance including the budgets and the Sustainability Analysis. These services were funded from the General Fund. The specific projects are funded

from other sources of revenue. There was discussion of the requested “not to exceed” of \$25,000 that was previously requested in the contract. Commissioner Whetstone moved to approve a “not to exceed” of \$15,000 and request Council President Jay Puckett to look at the cap to be sure Council is comfortable with the \$15,000 and if not to bring back and increase the amount to \$25,000. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Attorney Greg Steuerwald left the meeting at 9:20 AM.

IN THE MATTER OF EMERGENCY BOARD

Receipt was acknowledged of an email from Susie Friend, Executive Director United Way, advising the Hendricks County Food, Shelter & Utility Assistance Board administers the federal money that comes thru United Way. She explained they need a representative from county government on the board and previously Jay Puckett, County Council, has been on the board, but his term has expired, so now they are requesting a new county representative. She stated it can be a County Commissioner or a County Council representative. Ms. Friend stated the Board only meets twice a year and it is usually during working hours. She also stated the funds are used for rent/mortgage assistance, and food and utility assurance from the federal government. There was discussion of this organization and of the board. It was the consensus of the Commissioners to table this matter for more information and to check with the current appointee Jay Puckett and Susie Friend of United Way.

IN THE MATTER OF APPOINTMENTS - WAGE HEARINGS

It was noted we need to clarify the appointments to Wage Commission hearings as we recently had an issue with the appointment to the Wage Hearing for the Town of Plainfield. Steve Craney was appointed January 22, 2013 to serve on the Town of Plainfield Common Wage Committee and attended the last hearing for Plainfield. There is need to reaffirm the Commissioners appointment to the Wage Committee for the Town of Plainfield. There was discussion of this matter. Commissioner Whetstone moved to appoint Steve Craney to serve on the Wage Commission for the Town of Plainfield. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF GOVERNMENT CENTER PARKING LOTS

It was acknowledged the Danville Community High School has again requested approval to use the Government Center parking lots for their Homecoming Parade on Friday, September 27, 2013. It was noted they will begin to line up at 4 PM so employees will have to move their cars out of the parking lots shortly AFTER 4 PM on that date. It was the consensus of the Commissioners to again approve the use of the Government Center parking lots for the Danville Community High School Homecoming Parade.

IN THE MATTER OF BRIDGE NO. 127

John Ayers reported the staff previously rated the engineering proposals for inspections of Bridge No. 127, located near Amo, and selected Crawford, Murphy and Tilley (CMT). They forwarded their selection and the selection process to INDOT and INDOT has approved the process.

John Ayers explained there was some confusion with past due payments to INDOT that could affect the letting for Bridge No. 127, however, that has all now been resolved and the bridge is now scheduled to be let.

IN THE MATTER OF BRIDGE NO. 272

John Ayers presented the Supplemental Agreement No. 2 from USI Consultants, Inc. for the federal aid bridge replacement of Bridge No. 272, located on CR 550W over the CSX Railroad. He explained Supplemental Agreement No. 1 was previously approved for \$7,555 for “Permit Fees” required by the railroad to enter their right-of-way to perform soil borings. This Supplemental Agreement No. 2 is for \$16,500 for redesign of the bridge required by CSX, and \$3,360 for photo documentation of the bridge to satisfy requirements of the State Historic Preservation Office. Mr. Ayers stated the total increase for this bridge is 14% over the original fees. He also stated construction of this bridge will be funded from federal funding and the design from County Cum Bridge funds. Commissioner Whetstone moved to approve the Supplemental Agreement No. 2 for Bridge No. 272, as presented and recommended by the County Engineer. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF JAIL REMODEL

John Ayers reported on the jail remodeling project change order. He stated the contractor is requesting \$3,000 above the original change order amount. Mr. Ayers explained the overruns are being funded from Cum Cap and he will work with the contractor on this additional request.

IN THE MATTER OF B&O TRAIL

John Ayers announced the B&O Trail Association and the County are closing on the purchase of the property for the section of the proposed trail from CR 500E to CR 575E on Friday, September 13, 2013. He explained the funding for this purchase is from grants and the County is only the pass-through agency for the trail. It was the consensus of the Commissioners to proceed to close on the stated property purchase from CR 500E to CR 575E by the B&O Trail Association from the CSX Railroad and after closing to bring the necessary papers to the Commissioners for execution.

IN THE MATTER OF HIGHWAY

John Ayers reported the Highway crew should be finished paving Tudor Road this week and that road will be the final repaving of the summer. They plan to finish shoulder work and striping in the next few weeks.

John Ayers announced the County is participating in the State bid for highway salt this year as they have been the last few years. They have a price from Cargill for \$74.74.

IN THE MATTER OF SR 267 RELINQUISHMENT

John Ayers presented his response letter to INDOT regarding relinquishment of SR 267 within Hendricks County and is awaiting a reply to this letter. There was discussion of the portion of SR 267 within the Town of Avon. Commissioner Whetstone stated he plans to meet with representatives from the Town of Avon to discuss this matter.

IN THE MATTER OF COMMISSIONERS’ MEETINGS

There was discussion that several Hendricks County elected officials and staff serve on committees for the Indiana Association of Counties (AIC) and this year their annual meeting will be held September 23 thru 26, 2013 in southern Indiana. It was the consensus of the Commissioners that most committee meetings would be held on Monday, September 23 and activities for the annual AIC conference would not interfere with the regularly

scheduled Commissioners’ September 24, 2013 meeting, therefore, there was no need to change the meeting date.

IN THE MATTER OF LEGISLATIVE LUNCHEON

The Commissioners requested staff to set up a luncheon meeting with our legislative representatives, State Senators Pete Miller and Mike Young and State Representatives Greg Steuerwald, Jeff Thompson and Bob Behning to discuss the upcoming 2014 legislative calendar. They plan to meet at noon on Tuesday, October 8, 2013 at Frank’s on the square in Danville.

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

John Ayers gave an update on the three bridges that were scheduled for deck replacements: Bridge No. 29, located on CR 1000N; Bridge No. 162, located on Columbia Street in Danville; and Bridge No. 47, located on Lafayette Road. He stated they are currently working on Bridge No. 162 and should be completed in the next couple of weeks. Work will then start on Bridge No. 47.

IN THE MATTER OF EAST CAMPUS BOULEVARD

John Ayers reported he has sent a letter to the contractor for the East Campus Boulevard advising him the concrete was faulty and needs to all be replaced. He stated he plans to meet on site with the contractor to see this project. There was discussion of the problems that will occur once this replacement starts as there is no other easy access to the Animal Control and Work Release facilities located at this site.

IN THE MATTER OF BRIDGE INSPECTIONS

John Ayers stated the staff is currently reviewing the Statements of Qualification they received for bridge inspections and will bring a recommendation to the next meeting

IN THE MATTER OF COURT HOUSE

Kevin Cavanaugh gave an update on the Court House remodel and presented a map showing changes, where the courts were being moved, their new locations and the area for the new magistrates. He also stated they are on schedule for completion and will be under budget for this project.

Kevin Cavanaugh reported on uses of the Court House:

- Arts Council
 - Successful Gala in the Court House Rotunda on September 5, 2013
 - Fair On the Square
 - Will not be using the Court House restrooms this year
 - Will use the outside water spicket at the Adult Probation for their food vendors
 - Fire Department will again use Prosecutor’s parking lot for their annual hog roast
 - Christmas Lighting
 - Will not use Rotunda, but will use the Royal Theater for Santa Claus to meet and greet children
 - Will need use of the electricity in the Court House for the Christmas lights
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IN THE MATTER OF LAKE FOREST DAM AND WOODLAND HEIGHTS

Mike Graham explained at the August 27, 2013 Commissioners meeting, there was a group of Lake Forest residents who asked for the County’s help to fix the Lake Forest dam. One of the residents, Jay White, stated that the developer Paul Walters appeared at the Plan Commission hearing when the adjacent subdivision, Thornridge was approved. Mr. White stated Mr. Walters expressed concern at the Thornridge subdivision hearing about the potential problems the new subdivision would cause on the classification of the Lake Forest dam. Mr. Graham stated it was implied that the new houses would cause the dam to be classified as a high hazard dam. Also, implied was the testimony at the subdivision approval put the County on notices and because of that notice we now have

some obligation to help fix the dam. There is no record with the Plan Commission minutes that Mr. Walters testified at the Thornridge hearing.

IN THE MATTER OF REGIONAL SEWER DISTRICT

Mike Graham reported on behalf of the County, he invoiced the Hendricks County Regional Sewer District for \$38,021 to cover ½ of the salary, benefits and vehicle allowance for Jim Mardis, the new Director of the Hendricks County Regional Sewer District and Clean Water. This payment was made in accordance with the Interlocal Agreement and the amount was pro-rated because Mr. Mardis started to work at the end of the first quarter.

IN THE MATTER OF SYCAMORE SERVICES

Mike Graham advised he has started the discussion with Sycamore Services about the negotiation of a new lease or for Sycamore Services to buy the County property where they are currently located. The current 50 year lease started in 1988 and expires in 2038. Sycamore Services pays the County \$1.00/month for the length of the lease. Obviously, the lease payment is very good for Sycamore Services; however, the unfavorable portion of the lease is all improvements at the end of the lease are surrendered to the County with no payment to Sycamore Services. He explained that currently, the office building on the property is valued at approximately \$1,000,000 and the new bus garage is valued at about \$300,000. He also reported the condition of the property is good. Mr. Graham stated if the Commissioners open up the lease we could increase the rent and create a provision that allows Sycamore Services to purchase the property at the end of the lease. If the Commissioners would consider selling the property and breaking the lease there would be a need to establish a value. Sycamore Services has asked if they should get an appraisal of the property. He stressed before someone starts to spend money he would like to have some general direction from the Commissioners and inquired if provided the terms are favorable to the County, would the Commissioners be willing to consider a new lease or the sale of the 5.02 acres to Sycamore Services? In the interest of full disclosure Mike Graham stated he is a personal friend with Sycamore Services attorney Terry Kessinger. There was discussion of the Sycamore Services lease and the need to have an appraisal of the property before any decision was made. Commissioner Whetstone moved to authorize Mike Graham to proceed with discussion with Sycamore Services in obtaining an appraisal of the property before further consideration of selling and/or negotiating a new lease. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Attorney Tyler Starkey arrived at the meeting at 10:05 AM.

IN THE MATTER OF PRINTERS & COPIERS

Mike Graham explained the Commissioners previously determined that staff could proceed with a reduction of printers and the placement of multi-function printer centers provided the annual lease and maintenance costs do not exceed \$81,207.84. The current annual cost is \$91,630.41. The 2013 Commissioners budget has \$145,000 for Machinery & Equipment. Currently, there is a commitment to pay approximately \$38,000 for Pictometry and the Commissioners have not made a commitment to pay for anything else from this account. Mr. Graham stated if we made a down payment on the new printers our lease payments would be reduced and he has made a commitment to use \$75,000 to buy down the lease. By buying the lease down we reduce our annual lease and maintenance to

\$61,193.28 and over the 5 year term the total payments for leasing and maintenance would be reduced from \$406,039.20 to \$305,966.40.

IN THE MATTER OF ANIMAL CONTROL

Mike Graham reported Animal Control Officer Mary Anne Lewis is dealing with an indigent person who is living in a mobile home that is in very poor condition. Ms. Lewis got involved because the lady had some dogs that needed to be boarded while the mobile home is being fixed. As a part of the reconditioning of her mobile home most of the furniture is being thrown out. Ms. Lewis and others are trying to provide a helping hand. The County has a surplus desk in storage that has zero value. Kevin Cavanaugh has looked and it is clearly of no value. The options are to 1) declare it of zero value and give it to the lady, 2) keep it in storage or 3) throw it out. Ms. Lewis has requested that it be given to the lady. There was discussion of this desk, of Ms. Lewis looking after indigent people and the boarding of these dogs. It was the consensus of the Commissioners that based on the recommendation of Mr. Cavanaugh that this desk had no value, to declare the desk as having no value and to give the desk to this lady.

IN THE MATTER OF CONVENTION AND VISITOR'S BUREAU

Commissioner Whetstone stated he visited Emory Lencke, Executive Director Hendricks County Convention and Visitor's Bureau and reported he was having a very slow recovery following heart surgery at St. Vincent's Hospital in Indianapolis. It was noted a card would be sent from the Commissioners to Mr. Lencke to wish him a speedy recovery.

IN THE MATTER OF SENIOR SERVICES

Commissioner Gentry reported a group of individuals and businesses came forward and replaced the concrete pad for the Senior Services facility. He requested to contact Marina Keers to obtain names and addresses and that a thank you note be sent to each one expressing our appreciation for this contribution.

IN THE MATTER OF CITIZEN CONCERNS

Don Allen, Clayton, stated the Highway Department has done an excellent job paving roads this year.

Don Allen, Clayton, expressed concerns for 911 funding. There was discussion of possible funding options for 911 and the Communications Center.

IN THE MATTER OF STORM WATER MANAGMENT

County Surveyor David Gaston requested a meeting of the Storm Water Management Board and clarified the members are the three Commissioners and the County Surveyor. He would like for this board to discuss establishing a public utility from Clean Water to cover the salary of the Clean Water Director. There was discussion of establishing this utility that would be billed to citizens like the drainage assessment. The Commissioners requested Mr. Gaston to set a date for a meeting.

IN THE MATTER OF EMPLOYEE CHRISTMAS LUNCHEON

There was discussion of the annual Employee Christmas Luncheon and awards presentation. It was noted this year Christmas will be on a Wednesday with the last working day before Christmas on Tuesday. Routinely when we have held the luncheon on Christmas Eve the attendance is down as employees are off for family celebrations. If you choose to have the luncheon on the last working day before Christmas we will need to contact a caterer very

soon as many do not schedule events on Christmas Eve. Also, the fourth Tuesday of December will be on December 24, 2013 so the Commissioner will have all of their meetings during the morning before the luncheon and awards presentation. It was the consensus of the Commissioners to table this matter until the budget issues have been resolved.

IN THE MATTER OF ANIMAL SHELTER

Commissioner Palmer acknowledged receipt of the August 14, 2013 letter from Attorney At Law Douglas W. Meyer with a copy of Order Approving Personal Representatives’ Final Report and Accounting Petition to Allow Accounting Petition for Order Approving Distribution and Closing Estate, 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 (Hendricks County Animal Shelter).

IN THE MATTER OF CORRESPONDENCE

Commissioner Palmer acknowledged receipt of the following:

Correspondence:

- 1. IDEM Notice of Decision: Approval – Effective immediately for the Twin Bridges Recycling and Disposal Facility and the Part 70 Operating Permit Renewal Office of Air Quality

Action needed/taken on the following:

- | | |
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| 1. Checks received and signed to the county: | \$ 375.39 One Beacon – Collision repair |
| 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 August 23 to September 7, 2013 from James McBryant, Cypress Manor Director.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for August 24 through September 6, 2013 from Ron Love, Human Resources Director.

IN THE MATTER OF PLANNING

Receipt was acknowledged of the September 4, 2013 Planning and Building Report of Collections from Don Reitz, Planning Director.

Commissioner Whetstone moved to adjourn the Commissioners’ meeting at 10:25 AM. Commissioner Gentry 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
