

September 24, 2013

The Hendricks County Board of Commissioners met in regular session at 9:02 AM on Tuesday, September 24, 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
Michael E. Graham		Administrator to Commissioners
Kevin Cavanaugh		Hendricks County Facilities Manager
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 September 10, 2013 meeting, as presented.

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 #244838 thru 244974, #105480 thru 105533 and Direct Deposit #108562 thru 109021, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ORDINANCE NO. 2013 – 18
SPEED LIMIT FOR WATKINS LANE AND PHEASANT RUN DRIVE

Commissioner Palmer announced a Public Hearing has been duly advertised for 9 AM in the Commissioners’ Meeting Room for a Speed Limit Ordinance of 25 mph for Watkins Lane and Pheasant Run Drive in the Pheasant Run Subdivision and the time was now 9:05 AM. Commissioner Whetstone made a motion to open the public hearing. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. It was noted the Engineering Department did a traffic study at this location and recommends this speed limit be 25 mph on Watkins Lane and Pheasant Run Drive in the Pheasant Run Subdivision. There was no public comment. Commissioner Whetstone moved to close the public hearing. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Gentry moved to approve and adopt the Engineering Department recommendation of 25 mph on Watkins Lane and Pheasant Run Drive in the Pheasant Run Subdivision, as Ordinance No. 2013-18. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ORDINANCE NO. 2013 – 19
SPEED LIMIT FOR CR 350W FROM CR 200S TO CR 400S

Commissioners Palmer announced a Public Hearing has been duly advertised for 9 AM in the Commissioners’ Meeting Room for a Speed Limit Ordinance of 50 mph for CR 350W from CR 200S to CR 400S and stated it is now 9:07 AM. Commissioner Whetstone made a motion to open the public hearing. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. It was noted the Engineering Department did a traffic study at this location and recommends this speed limit be 50 mph on CR 350W. There was no public comment. Commissioner Whetstone moved to close the public hearing for this speed limit ordinance for 50 mph on CR 350W

from CR 200S to CR 400S. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Gentry moved to approve and adopt the Engineering Department recommendation of 50 mph on CR 350W from CR 200S to CR 400S, as Ordinance No. 2013-19. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF DOMESTIC VIOLENCE AWARENESS

April Brodeau, Executive Director Sheltering Wings, has advised that October is the month of Domestic Violence Awareness and requested the annual proclamation for Awareness Against Domestic Violence. Commissioner Palmer read the following proclamation:

Hendricks County, Indiana

Domestic Violence Awareness Proclamation

WHEREAS, the family is the foundation of a safe and healthy community. It is a goal of this administration for our communities to be safe;

WHEREAS, the problem of domestic violence affects all citizens of Hendricks County crossing all racial, social, religious, ethnic, geographic and economic groups;

WHEREAS, domestic violence is a crime of power and control most often inflicted on women and children;

WHEREAS, domestic violence in any form is abuse and is unjustifiable;

WHEREAS, each person has dignity and worth and is entitled to a safe environment;

WHEREAS, children from violent homes are at risk; violent behavior is a learned response and is often passed down from generation to generation;

WHEREAS, A coordinated community response to domestic violence is most effective for intervention and prevention;

NOW, THEREFORE, in recognition of the impact that domestic violence has on the health and well being of our community, we, the Commissioners of Hendricks County, Indiana, do hereby proclaim October 2013 as Domestic Violence Awareness Month.

FURTHER, we are committed to reducing violence and increasing awareness of domestic violence in our community. We urge all citizens to take action to end domestic violence by supporting community efforts to assist victims and survivors. Please remember those who have lost their lives to domestic violence; those who continue to struggle to break free; and those who have found freedom.

Dated: <u>September 24, 2013</u>	Hendricks County Board of Commissioners
(Signed)	Phyllis A. Palmer, President
(SEAL)	Bob Gentry, Vice President
	Matthew D. Whetstone, Member

Commissioner Palmer presented the proclamation to Julie Randall and Linda Wells of Sheltering Wings. Linda Wells, Sheltering Wings Manager, reported they are currently at near capacity with 67 residents in the shelter including 45 children. Ms. Randall expressed her appreciation to the Commissioners for this proclamation and their continued support of Sheltering Wings.

IN THE MATTER OF COLLECTION OF UNPAID PROBATION USER FEES

Catherine Haines, Court Administrator, presented a request to contract with a collection agency for the collection of unpaid probation user’s fees. She explained that while the collection agency fees are 33% and would come from

the user fees, we are currently receiving 0 from these unpaid fees. Attorney Steuerwald explained some changes he had requested on the contract and stated they have all been accepted. The revised contract was presented in the final form. There was discussion of these unpaid fees and it was noted there are approximately \$10,000 unpaid fees annually and whatever funds we could recoup would benefit the County. Commissioner Whetstone moved to approve and sign the Collection Agreement with Central Collection Bureau to collect the unpaid probation user fees for the County. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF FOOD, SHELTER & UTILITY ASSISTANCE BOARD

Commissioner Palmer noted that continued from last meeting was a request 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. Mike Graham reported United Way receives a limited amount of federal dollars each year to be used for food, shelter or utility assistance. The federal government requires a local board to determine how the monies are to be used. During the last couple of years the local board decided to use the money for rent and mortgage assistances. The board is chaired by United Way and there are representatives from the Red Cross, Sheltering Wings, the Salvation Army, and Habitat for Humanity, Township Trustees and other social services providers. The approximate amount of the grant is \$10,000 to \$15,000. The applications for assistance have previously been administered by Community Action and United Way is looking to change this to the Children’s Bureau. The federal government requires representation from a local elected body. It appears that selecting a Commissioner or Council member will satisfy the federal requirements It was noted Jay Puckett, County Council Member, has been on the board, but his term has expired, so now they are requesting a new county representative and stated it can be a County Commissioner or a County Council representative. The board meets twice a year and handles the funds used for rent/mortgage assistance, food and utility assurance from the federal government. There was discussion of this appointment. Commissioner Whetstone moved to appoint County Council Member Nancy Johnson to serve on the Food Shelter & Utility Assistance Board, if she was willing to serve. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. The Commissioners requested Mike Graham to contact Nancy Johnson regarding this appointment.

IN THE MATTER OF WEST CENTRAL CONSERVANCY DISTRICT WAGE COMMITTEE

Receipt was acknowledged of the September 17, 2013 request from Attorney Alan Hux for an appointment to the Wage Committee for the West Central Conservancy District as they are planning a construction project to be known as the Club House Lift Station #5 Elimination Project White Lick Sewer Rehabilitation Project – Phase 2. He noted they plan to meet on October 3, 2013 and this appointment must be a freeholder in the West Central Conservancy District and currently a resident of Hendricks County. The records indicated several names of previous appointments to serve on the West Central Conservancy District Wage Committee. There was discussion of an appointment. Commissioner Whetstone moved to appoint Jim Tygrett to serve as the County representative on the Wage Committee for the West Central Conservancy District. Commissioner Gentry seconded the motion. There was

discussion of this appointee. The motion was approved unanimously 3-0-0.

IN THE MATTER OF BOY SCOUTS

Commissioner Palmer announced they had received a request from Marcus Turner to recognize three Boy Scouts from Troop 392 of Avon who will be honored for achieving the rank of Eagle Scout on Sunday, September 29, 2013 at Bartlett Chapel United Methodist Church during the Court of Honor. She stated a certificate of recognition had been signed by the Commissioners for each new Eagle Scout: Benjamin Ansokey; Collin Pittman; and Cameron Sickert. These three certificates have been sent to the church for presentation.

IN THE MATTER OF EXCESS EQUIPMENT

Kevin Cavanaugh explained the County owns a snow blade for the Bobcat used by Highway and Surveyor that was originally purchased by the Engineering Department in 2003. It was too big to use on sidewalks as they originally intended and at that time the County didn't have pickup mounted snowplows as we currently do. He stated it is now sitting outside at the Highway Department and we should sell it before it deteriorates. He also stated we have a set of tracks that should also be sold. Mr. Cavanaugh requested to advertise this equipment for bids. Commissioner Whetstone moved to allow the Highway Department to advertise the snow blade and the tracks for sale. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF B&O TRAIL

Kevin Cavanaugh reported the County purchased the CSX right-of-way from CR 500 East to CR 575 East and the County needs to deed this property over to the B&O Trail Association. Attorney Greg Steuerwald requested a copy of the deed so he could begin the transfer to the B&O Trail. Commissioner Whetstone made a motion that when the deed transferring the CSX right-of-way from the County to the B&O Trail is completed, to allow the President to sign the deed on behalf of the Commissioners. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Kevin Cavanaugh requested for the Commissioners to sign the IC639 INDOT form for the B&O Trail project from Raceway Road to SR 267 as this is the certification from INDOT that construction is complete. This enhancement, bike/pedestrian facility is on the B&O Trail from SR 267 to CR 300 North and from Ronald Reagan Parkway to Raceway Road in Hendricks County. It was the consensus of the Commissioners to sign the INDOT certification, as presented, for the B&O Trail project from Raceway Road to SR 267.

IN THE MATTER OF BRIDGE NO. 127

Commissioner Palmer read an email sent by County Engineer John Ayers announcing INDOT took bids on September 11, 2013 for Bridge No. 127, located on CR 450 W, north of Amo. There were 7 bidders, and the low bid was George R. Harvey & Son at \$692,070.80, which is \$160,000 below the engineer's estimate. All bids were below the estimate except one bid. Mr. Ayers stated these are good results as our share will be 20%. The CE contract amount had to be lowered also to meet INDOT's maximum of 15% of the bid amount.

Kevin Cavanaugh stated documents for the bridge inspection contract with CMT (Crawford, Murphy & Tilley)

for Bridge No. 127 have been approved by INDOT for approval and presented the LPA (Local Public Agency) Consulting Contract for execution. Commissioner Gentry moved to approve and sign the LPA contract with CMT, for bridge inspections of Bridge No. 127 as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SR 39

Kevin Cavanaugh reported INDOT has reopened SR 39 through Clayton (Columbia Street) and has asked if we have any eligible expenses on the unofficial local detour which was CR 400S and CR 200E. He stated County Engineer John Ayers has advised the County has no damages resulting from this detour and presented a Letter of Understanding of the Unofficial Local Detour SR 39, Contract 30901 stating “the County does not have any eligible expenses to submit for reimbursement as a result of the Unofficial Local Detour”, for execution. Commissioner Gentry moved to approve the Letter of Understanding for SR 39 and allow the President to sign on behalf of the Commissioners. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SR 267

Kevin Cavanaugh acknowledged receipt of the Friday, September 20, 2013 response from INDOT to the County’s letter regarding the SR 267 Relinquishment Agreement, however, John Ayers has not had time to study and Evaluate.

IN THE MATTER OF BRIDGE NO. 49

Kevin Cavanaugh announced three quotes had been received for repairs to Bridge No. 49, located just west of CR 600E on CR 350N over White Lick Creek. This bridge suffered damage to the slope wall on the east bank as a result of years of erosion. Engineering requested quotes from contractors to make these repairs. These received were:

Keith Henderson, LLC	\$29,848.44	
DPH Contracting	\$29,942.59	
H & R Excavating	No Response	
JA McCullough Excavating	\$ 8,530.00	
The Engineering Estimate		\$35,000

Mr. Cavanaugh reported County Engineer John Ayers stated he felt the last bid from JA McCullough Excavating was not complete and that the quantities do not match the work that is needed, therefore, he is recommending awarding the quote to Keith Henderson for this repair of Bridge No. 49, as he was the lowest complete quote received. He also stated this bridge repair can be funded from Cumulative Bridge Funds. Commissioner Gentry moved to follow the recommendation of the County Engineer and award Keith Henderson LLC the repair of Bridge No. 49, located over White Lick Creek, as he was the lowest complete quote in the amount of \$29,848.44. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HIGHWAY EQUIPMENT

Kevin Cavanaugh explained the current Caterpillar front end loader at the Highway Department needs a new engine. This was purchased in 1994 and rebuilt in 2005 and is used daily. He stated they will need to go to the Council for extra funding for the repair (\$25,000 - \$20,000), but have now rented one to use during the interim. He

stated they have funding for the rental. They plan to postpone a planned grader purchase for 2014 and will purchase a new loader instead, but will keep this old Caterpillar loader as a backup. Their previous backup loader was a 1984 John Deere and it is more or less dead as of four months ago.

IN THE MATTER OF CIVILIAN FLEET

Mike Graham reported he met with Fleet Manager Doug Wilber to talk about the management of the County’s Civilian Fleet. Before making a recommendation on what should be done next, he gave an update on a couple of items. Fleet Manager Doug Wilber has learned that the County can use the State’s QPA for buying parts. We currently use the State’s QPA to purchase vehicles. NAPA holds the State QPA for parts. Thanks to Cinda Kattau and Tami Mitchell of the Auditor’s Office there is now a consolidated vehicle list as prior to their efforts there were three vehicle lists. Mr. Wilber has made a commitment to keep the list current as he buys and sells all the vehicles for the Sheriff and all other departments except Highway. Mr. Graham stressed the need to make another effort at reducing the number of vehicles and that Mr. Wilbur and he will meet with the Department Heads to address three items:

- 1) Review the vehicle list
- 2) Talk about replacement vehicles for those high mileage vehicles and
- 3) Talk about reducing the number of vehicles.

The primary purpose of the interviews will be to make the Department Heads justify the number of vehicles used. There was discussion of meeting with Department Heads, if a Commissioner should meet with them and of reducing the civilian fleet. It was the consensus of the Commissioners for Mike Graham and Doug Wilber to meet with the Department Heads to discuss County vehicles.

IN THE MATTER OF ENERGY SAVINGS

Mike Graham explained he and Kevin Cavanaugh have had some discussions about energy savings and the use of a consultant to help with energy savings. They have learned that there can be a guaranteed energy contract between a qualified provider and the County to reduce the energy and operating costs of a building, or a group of buildings, by a specified amount. The main advantage of these agreements is that the County can participate in the project without a large upfront investment of capital. The energy cost savings are used to pay for the investment. If the guaranteed savings are not achieved, the provider must reimburse the County for the difference between the actual cost and the guaranteed cost savings. There are two approaches for guaranteed energy savings contracts. We can do either a Request for Qualifications (RFQ) or a Request for Proposal (RFP). The RFQ does not seek a specific package of energy conservation measures and is used for when the conservation measures are expected to be modest and are limited in number and complexity. The RFP is an RFQ with a specific list of proposed energy conservation measures and services including estimated costs and savings. This approach increases the cost of preparing a response and decreases the number of responses. It allows the County to more aggressively pursue the best cost and service combination with a wide variety of approaches. An RFP is best suited for projects that are large, complex, or unique and where the range of possible energy conservation measures is broad enough to justify reviewing specific

proposals. Mr. Graham stated Kevin Cavanaugh and he talked to two companies who can provide a guaranteed energy savings contract and there are currently three companies that have expressed an interest including: Energy Systems Group (ESG), Perfection Group and Ameresco. He also stated he anticipates Johnson Melloh will be another company interested in participating in the process. Because the County has not identified a specific energy conservation project he recommended we go through the RFQ process rather than the RFP. The RFQ will provide an energy consultant to help evaluate energy savings projects for Hendricks County.

Eric Wathen, 4655 N. CR 450W, Lizton, clarified the difference between the RFP and the RFQ proposals.

Commissioner Whetstone moved to allow staff to move forward with the RFQ process for energy savings in County buildings. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PICTOMETRY

Mike Graham advised the Town Managers and he had a meeting to talk about the Towns paying for the use of Pictometry. The price presented to the managers would cost each of the towns an average of \$7,425.83/year for the next 6 years. He stated at the meeting the Towns were interested in the deal and he is waiting to receive written confirmation of their interest. The County Commissioners would pay the same amount as the towns. In addition to the use of Pictometry they also talked about creating more efficiency with our GIS system. Currently, Avon, Brownsburg, Plainfield and the County all use the same GIS system called Beacon managed by Schneider Engineering. Danville is also considering using Beacon. While we all use Beacon there are four different maps plus Danville GIS map from another vendor. This means that the Communication Center has to figure out how to use 5 maps. There are great inefficiencies with the current arrangement. For example, sometimes when a town has an annexation or a new subdivision the town will enter it into their system and then the County will enter it again when the project is recorded. Rather than just sharing a file we have been known to re-enter the data. They are exploring the possibility of creating one map that we can all use and can be updated with greater efficiency.

IN THE MATTER OF EXIT 59

There are two developers interested in big box logistics development at the south west quadrant of I-70 & SR 39. The developers are a partnership of Mark Sanders and Paul Kite (developed 70 West Commerce Park) and another developer Aasif Bade (built Gordmans Warehouse). This would be the first project south of I-70 and is proposed to be about 350 acres. They are in the process of seeking approvals and we have had one initial meeting that Commissioner Whetstone attended.

Greg Guerrettaz and Mike Graham are meeting with the new superintendent of Mill Creek Schools, Dr. Jill Jay, on October 3, 2013 to brief her on the TIF developments at Exit 59.

IN THE MATTER OF BENEFITS MEETINGS

Commissioner Palmer announced the next Benefits Meeting would be held at 11 AM on Thursday, October 10, 2013 in Room #3 and clarified that all three Commissioners serve on this committee. Mike Graham stated the main topic will be employee health insurance.

IN THE MATTER OF LEGISLATORS LUNCHEON

Commissioner Palmer reported they had received response from two legislators that they would be unable to attend the legislative luncheon scheduled for October 8, 2013 due to previous commitments. It was the consensus of the Commissioners to check with the legislators to determine another date and time to meet.

IN THE MATTER OF HENDRICKS REGIONAL HEALTH

Commissioner Palmer acknowledged the Commissioners had met with the Board of Trustees of Hendricks Regional Health and were guests for lunch with the Board of Trustees on Monday, September 23, 2013. Notice of this meeting and lunch was duly posted.

IN THE MATTER OF BILL RAWLINGS (WISHES TO BE HEARD)

Bill Rawlings, 4655 W CR 450W, Danville, came forward to inquire the status of repair of the drainage near the Hunt/West Drain, located near CR 500N and CR 200W. He stated he has talked with the surveyor and was advised funds are not available. Commissioner Palmer told Mr. Rawlings that his drainage concerns should be taken to the Drainage Board and their next meeting will be at 8 AM on Tuesday, October 8, 2013. Commissioner Gentry stated he will contact the County Surveyor and they will work with Mr. Rawlings

IN THE MATTER OF TAX SALE

Auditor Cinda Kattau announced the annual property tax sale will be held on Friday, September 27, 2013 in the Hendricks County Government Center.

IN THE MATTER OF CORRESPONDENCE

Commissioner Palmer acknowledged receipt of the following:

Correspondence:

1. IDEM notice of the application, plans and specification, and supporting documents for Bailey Park, Permit Approval No. 20792 in Brownsburg, Indiana, Hendricks County.
2. Notice from IDEM of 327AC3 Construction Permit Application for plans and specifications for sanitary sewer for Four Oaks – Section 1, located in Danville, Indiana, Permit Approval No. 20798
3. Cummins Behavioral Health System minutes of their June 27, 2013 meeting and the agenda for their September 26, 2013 dinner meeting.
4. The revised proposed Agreed Order that provides for the actions required to correct the violations outlined in IDEM’s Notice of Violation issued to the Hendricks County Board of Commissioners in Case No. 2012-21299-Q NPDES # INR 109060 relative to the Ronald Reagan Parkway.
- 5.

Action needed/taken on the following:

- | | |
|---|--|
| 1. Checks received and signed to the county: | \$570.35 One Beacon – Collision
\$300.00 US Govt. Rokita Rent
\$ 90.00 Judith Pingel – Court House Use
\$120.24 Judith Pingel – Court House Use
\$120.00 HC Arts Council – Court House Use |
| 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 September 8 to September 21, 2013 from James McBryant, Cypress Manor Director.

IN THE MATTER OF VETERANS AFFAIRS

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

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the weekly Human Resources report for September 9 through September 20, 2013 from Ron Love, Human Resources Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of five (5) weekly Highway report for July 29 through August 30, 2013 from Curt Higginbotham, Highway Superintendent..

Commissioner Whetstone moved to adjourn the Commissioners’ meeting at 10:32 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

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