

October 22, 2013

The Hendricks County Board of Commissioners met in regular session at 9:03 AM on Tuesday, October 22, 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:

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| 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 |
| John Ayers | | Hendricks County Engineer |
| James McBryant | | Director Cypress Manor |
| Douglas Morris | | Hendricks County Systems Manager |
| Don Reitz | | Hendricks County Planning Director |
| 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 October 8, 2013 meeting, with suggestions.

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 #245374 thru 245736, #104703 thru 105639, and Direct Deposit #106322 thru 109893 as submitted. Commissioner Gentry seconded the motion. Commissioner Palmer reported that she had questioned some claims and they had been answered to her satisfaction. The motion was approved unanimously 3-0-0.

IN THE MATTER OF BIDS - HIGHWAY EXCESS EQUIPMENT

Commissioner Palmer announced it was now 9:04 AM and bids for excess Highway equipment consisting of the following:

- One model 72 Snowblade that fits a 763 Bobcat model 709.
- One set of grouser 132 E steel tracks D12J1 also fitted for the 763 Bobcat, Model 709.

has been duly advertised for bid opening at 9 AM in the Commissioners’ Meeting Room on this date. Commissioner Whetstone moved to close bids for the advertised equipment at 9:05 AM. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. John Ayers acknowledged receipt of one bid for the Bobcat snowblade. He opened and read the bid for the Bobcat snowblade from Dick Hayden in the amount of \$420. There was discussion of taking this bid under advisement or to accept. Commissioner Gentry moved to accept the bid received from Dick Hayden for the Model 72 snow blade for a 763 Bobcat Model 709 in the amount of \$420, as the only bid received. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

There was discussion of the other equipment advertised, one set of grouser 132 E steel tracks D12J1 also fitted for the 763 Bobcat Model 709, that did not receive a bid. It was the consensus of the Commissioners to take the Bobcat tracks under advisement and bring back a recommendation.

IN THE MATTER OF ORDINANCE NO. 2013-23
ZA 420/13 70/39 PARTNERS

Don Reitz presented ZA 420/13: 70/39 Partners, LLC, a zoning amendment change from AGR/Agriculture Residential District and HB/Highway Business District to PB/Planned Business District for 313.29 acres in Liberty

Township, located on the south side of Interstate 70 and west of State Road 39. He explained the location, the existing land use in the area and the zoning in the surrounding area as was adopted in the Master Plan. He also stated the Plan Commission held a public hearing for this zoning change on October 8, 2013 and sends this request for a zoning change with a favorable recommendation of 5-2-0. Mr. Reitz reported there were no remonstrators at the public hearing. There was discussion of development permitted in this area when zoned as Planned Business District as this is the gateway to Hendricks County. Commissioner Gentry moved to approve ZA 420/13 zoning change, as requested, as Ordinance No. 2013-23, as recommended by the Plan Commission. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLERK’S OFFICE - CHILD SUPPORT DIRECT DEPOSIT

Clerk D. J. Hoskins provided a Merchant IRD Services Processing Agreement with the North Salem State Bank to process and direct deposit checks received for child support, at no cost to the County. There was discussion of this agreement. Greg Steuerwald explained the termination clause of 90 days and the automatic renewal unless notice given 90 days prior to the renewal date, and was noted there may be a penalty for NSF checks. There was discussion this direct deposit would be more efficient for the Clerk’s Office and much safer for the staff than the current procedure of the staff physically delivering all child support checks to the bank on a daily basis. Commissioner Gentry moved to approve the Merchant IRD Services Processing Agreement with the North Salem State Bank to process and direct deposit checks received for child support, at no cost to the County, and allow the President to sign the agreement on behalf of the Commissioners. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF VETERANS DAY PROGRAM

Receipt was acknowledged of an email from Veterans Service Director, Lori Turpin, requesting to use the Court House Rotunda at noon on Monday, November 11, 2013 for her annual Veterans’ Day Program. It was noted that all County offices will be closed on that date. There was discussion this was a very impressive program and that it was appropriate and important to recognize our veterans on Veterans Day for their service to our Country. It was the consensus of the Commissioners to approve the use of the Court House Rotunda on Monday, November 11, 2013 for a Veterans Day program.

IN THE MATTER OF EXTENSION ADVISORY COUNCIL

Receipt was acknowledged of the October 4, 2013 letter from the Purdue Extension requesting two appointees to the Hendricks County Extension Advisory Board. It was reported the Extension Board President, Margaret Gladden, is trying to bring the Extension Board into compliance and trying to set up the Extension Advisory Council and the Extension Board to be more diversified by including more participants from all around Hendricks County for their annual meeting on November 14, 2013. All appointees to the Extension Advisory Council will have the opportunity to vote for the Extension Board Members at that annual meeting. It was the consensus of the Commissioners to ask Kris Brock of Franklin Township and Pat Wynne of Washington Township to serve on the Extension Advisory Council as their appointees.

IN THE MATTER OF BRIDGE INSPECTIONS

John Ayers stated United Consulting was approved for the 2014 – 2016 bridge inspections at the October 8, 2013 meeting and presented a contract with United Consulting Engineers (UCE) for these Bridge Inspections for approval and execution. He noted we must have this submitted to INDOT by November 1, 2013. Mr. Ayers explained we have met with UCE regarding fees and are comfortable with the fee given, which is approximately 15% more than the contract signed in 2010. This will be subject to the review and approval by INDOT. Commissioner Whetstone moved to approve and accept the contract with United Consulting for bridge inspections and for the County Engineer to start the process of submitting to INDOT for further approval. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF B&O TRAIL

John Ayers reported we applied for TA funding from INDOT through the MPO (Metropolitan Planning Organization) for Phase 4 of the B&O Trail from CR 500E to CR 575E. They will use the cost of the right-of-way just purchased as the local match. He explained the Commissioners need to sign a letter of support for this project and that it will be at no cost to the County, but the County will still be the pass thru for this rails to trails project. He presented the Indiana Department of Transportation – Local Public Agency Project Coordination Contract, Supplement Number 1 EDS No: A249-12-320821, CFDA #20-205 for bike/pedestrian facilities for the B&O Trailhead at State Road 267. This is a Supplemental Agreement to the original agreement for Phase 3 of the B&O Trail that is required because INDOT changed the letting date for this project to a date beyond what was approved in the original agreement. It was the consensus of the Commissioners to sign the Supplemental Agreement, as recommended by the County Engineer.

There was discussion of clearing up the debris left on this parcel. It was the consensus of the Commissioners to obtain an estimate for clean-up of the area and work with the Hendricks County Solid Waste to possibly fund the clean-up from the Special Projects Fund.

IN THE MATTER OF EAST CAMPUS BOULEVARD

John Ayers reported Central Engineering and Hunt Paving have proposed a solution for the failing East Campus Boulevard and presented an offer from the paving contractor. Mr. Ayers stated the East Campus Boulevard is failing due to the concrete pavement being used was of poor quality and as a result the life expectancy of this road will be significantly less than designed for. He stated the contractor's bond expires December 10, 2013 and we need to work out an agreement with them before the bond expires. There was discussion of the need to replace this road, the inconvenience it will be to the Work Release and . Control that use this road to access their facilities and the time frame. It was the consensus of the Commissioners for County Engineer John Ayers to work with the contractor in an attempt to resolve this pavement matter.

IN THE MATTER OF BRIDGE NO. 272

John Ayers presented the Indiana Department of Transportation – Local Public Agency Project Coordination Contract Supplement Number 2 EDS No. A249-12-320090, CFDA # 20-205 for designation Number 0800717. for bridge replacement for Bridge No. 272, located on CR 550W over the CSX Railroad. This is a Supplemental

Agreement to the original agreement that is required because INDOT changed the letting date for this project to a date beyond what was approved in the original agreement. It was the consensus of the Commissioners to approve the INDOT Contract Supplement Number 2 for Bridge No. 272, and allow the President to sign on behalf of the Commissioners.

IN THE MATTER OF BRIDGE ON SR 267 OVER CSX RAILROAD TRACKS

John Ayers presented an Agreement for Construction of the Bridge over the CSX Railroad tracks on SR 267, Avon, Indiana, and stated this is a draft Interlocal Agreement. He explained the changes. Commissioner Whetstone reported on meetings with representatives from the Avon Town Council and working with them for this agreement. Attorney Greg Steuerwald has reviewed this draft agreement. There was discussion of the agreement. Commissioner Gentry moved to approve the draft Interlocal agreement with Avon, and after the final approval of counsel to sign this agreement and forward to the Avon Town Council for their approval and execution. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers announced the Metropolitan Planning Organization (MPO) Technical Committee recently met and approved their support for the Ronald Reagan Parkway from CR 300N to US Hwy136. He stated the final approval will be later this year.

IN THE MATTER OF CYPRESS MANOR

James McBryant presented the application of Gloria L. Kinder for admission to Cypress Manor as a permanent resident. He stated this applicant had been an emergency placement by the Lincoln Township Trustee and recommended acceptance as a permanent resident. Commissioner Gentry moved to approve this application and accept Ms. Kinder as a resident at Cypress Manor, as recommended by the Cypress Manor Director. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0..

James McBryant reported they currently have 22 residents at Cypress Manor.

IN THE MATTER OF INDIANAPOLIS AIRPORT AUTHORITY (IAA)

Mike Graham reported the Indianapolis Airport Authority (IAA) has invited the Commissioners and County staff to attend an October 24, 2013 breakfast meeting to hear about the IAA process for updating the Noise Exposure Maps. These maps are used to identify primarily residential properties that are negatively impacted by airplane noise and to develop plans to remediate damage caused by the noise. Mr. Graham also stated Planning Director Don Reitz and one of his planners, Alex Getchell, and he are planning to attend the meeting. It was the consensus of the Commissioners to let staff attend the meeting and bring back a report.

IN THE MATTER OF IND AERO VISION

Mike Graham explained the Aero Vision Committee has several subcommittees. There is a branding subcommittee whose mission is to develop an outreach campaign to support the mission of attracting commercial, industrial and other businesses having a direct or indirect relationship to air commerce and the use of the airport. He stated there is currently no one on this subcommittee appointed by the Commissioners. Mr. Graham inquired if the Commissioners wanted to appoint someone to this subcommittee and suggested a person with some media relations, community relations or business development would be helpful. It was the consensus of the Commissioners to take

this under consideration and bring back.

IN THE MATTER OF RED CROSS

Mike Graham reported Heather Starr-Haller is the Red Cross Disaster Specialist for Hendricks Hancock, Johnson, Morgan, Shelby and Madison counties. She works closely with our Emergency Management staff of Dave Warren and Lise' Crouch. Red Cross is remodeling their office space and their field staff is seeking temporary office space for about one year. Ms. Starr-Haller is seeking authorization to use some of the EMA office space in the Government Center during the remodeling. She is trying to divide her office time between Hendricks, Johnson and Morgan counties and is requesting authorization for the use of a portion of the EMA/Deputies office area for her use. There was discussion if this individual would require an access card to the Government Center in order to enter the building in the event of an emergency. It was the consensus of the Commissioners for Mike Graham to check on this concern.

IN THE MATTER OF EXIT 59

Mike Graham acknowledged receipt of a copy of TIF Report from Greg Guerrettaz for Project Christie. Project Christie is the proposed development on the south west quadrant of the interchange. Mr. Guerrettaz proposed a 40% pass through to the local units of government with 60% applied to the development. He has shared the information with developers Paul Kite and Aasif Bade. He told them we could meet after the Commissioners make a determination about the zoning petition at their October 22, 2013 meeting. Mr. Graham stated Commissioner Whetstone will lead the negotiations on behalf of the Commissioners and questioned if they wanted to invite a Council member to the meeting. It was the consensus of the Commissioners to invite Council President Jay Puckett to participate in these meetings.

IN THE MATTER OF COORDINATION MEETING WITH AVON & BROWNSBURG

Mike Graham reported after the discussions with Avon and Brownsburg regarding Ronald Reagan Parkway and the relinquishment of SR 267 it has become apparent that all three units need to sit down and talk about the projects together. A town council member, the president of the town redevelopment commission, town manger and town engineer from Avon and Brownsburg will attend. Commissioner Whetstone, Redevelopment Commission President Harold Hiser, County Engineer John Ayres and Administrator to the Commissioners Mike Graham will represent the County. The first meeting was held on October 21, 2013 at the Avon Town Hall.

IN THE MATTER OF ANIMAL CONTROL

Mike Graham advised we have received the 2014 budget and the Animal Shelter did not receive approval for a new kennel attendant. Currently, there are two part time positions in the 2014 budget at \$12,480 each. He inquired if the Commissioners would give consideration to making a request to the Council to convert the two part time positions into one full time position? It was the consensus of the Commissioners to start the process to combine the two part-time positions in the Animal Shelter to one full-time position.

Mike Graham reported Tia Fox will be sent an official response relative to animal control matters.

IN THE MATTER OF COMPUTER FIBER

Doug Morris reported the computer fiber between the Court House and Jail that is used for Video Court is strung across telephone poles between the two locations and that we have had damage to this fiber by rodents chewing on it.

This has reduced the usage of video court and inmates are being transported to court. He stated they are looking at a new product they can use that is rodent resistant.

IN THE MATTER OF NOISE ORDINANCE

Bernadette Ray, 7797 S SR 267, Plainfield, came forward to request the Commissioners to review and establish a common sense noise ordinance that would benefit those citizens living in subdivisions. She complained about a neighbor that uses a substance called tannerite to make large explosive noise and she is concerned about the frequency of these loud noises and the safety of the substance used. It was the consensus of the Commissioners to look again at a noise ordinance and the use of tannerite.

IN THE MATTER OF ASSESSOR’S OFFICE

Commissioner Palmer acknowledged receipt of a letter from a citizen complimenting the staff in the Assessor’s Office for their courteous and helpful assistance when they were in the Assessor’s Office. It was the consensus of the Commissioners to forward the letter to County Assessor, Gail Brown.

IN THE MATTER OF VETERANS ASSISTANT FOUNDATION (HVAF)

Receipt was acknowledged of an email request from Kayla Hinkle, a social worker for the Supportive Services of Veteran Families HVAF Program through Hoosier Veterans Assistant Foundation (HVAF) requesting office space or a meeting room in the Government Center for use once a week to meet with veterans and their families. It was noted the request was referred to Lori Turpin, Veterans Affairs Officer, for her comments. There was discussion of the request and of her response. It was the consensus of the Commissioners that at this time there is no permanent space available in the Government Center.

IN THE MATTER OF TRANSFER

A transfer letter was presented transferring \$1,050 from the Indirect Recovery Costs line to the Membership and Dues line for the 2014 NACO membership dues. It was the consensus of the Commissioners to approve and sign the transfer letter, as presented.

IN THE MATTER OF SPECIAL PROJECTS FUND

A claim was presented with an invoice from Liberty Tire Recycling in the amount of \$643.64 for the roadside debris (tires) the Highway Crews have picked up around the County. There was also a letter to send to Hendricks County Solid Waste requesting for this invoice to be paid from the Special Projects Fund in Solid Waste. It was the consensus of the Commissioners to sign the claim and letter and forward to Solid Waste for payment from the Special Projects Fund.

IN THE MATTER OF BENEFITS COMMITTEE

There was discussion of the need to report “unfunded” retirement as requested by the State Board of Accounts. Commissioner Whetstone requested consideration that the members of the Benefits Committee be equal consisting of three Commissioners and three members of the Council.

IN THE MATTER OF CORRESPONDENCE

Commissioner Palmer acknowledged receipt of the following:

Correspondence:

1. Letter of October 8, 2013 from the Indiana Department of Environmental Management (IDEM) Office of Water Quality Facility Construction Section has received a sanitary sewer permit application on October 7,

2013 from Mr. Todd May, JC Hart Company. If approved by IDEM the permit would allow the applicant to construct a sanitary sewer for the re-submitted Linden Square Apartments, Phase II, in Hendricks County.

2. Letter of October 21, 2013 informing that the Indiana Department of Environmental Management (IDEM) Office of Air Quality Permits Branch has received an application from Meritor Heavy Vehicle Systems. Applicants are required to place certain types of applications at the local library.

Action needed/taken on the following:

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| 1. Checks received and signed to the county: | None |
| 2. Commissioner Palmer signed vehicle titles for the following: | None |
| 3. Documents needing action: | None |

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for October 7 through October 18, 2013 from Ron Love, Human Resources Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for September 30 to October 4, 2013 and October 7 to October 11, 2013 from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF WORK RELEASE

Receipt was acknowledged of the Work Release Statistics for July and August 2013 from Bridgette Collins, Work Release Director.

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the Weights and Measures Monthly Report for August 15 to October 15, 2013 from Charles Colbert, Weights and Measures Inspector.

IN THE MATTER OF WORKSHOP

Commissioner Palmer announced a workshop has been posted for a Legislative Discussion with Representative Bob Behning at 1:30 PM today in the Commissioners' Office.

Commissioner Whetstone moved to adjourn the meeting at 10:48 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
