

November 26, 2013

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, November 26, 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
Dave Galloway		Hendricks County Sheriff
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
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 November 12, 2013 meeting, as corrected.

Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-1 with Commissioner Whetstone abstaining as he did not attend the November 12 2013 meeting.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Claims #246086 thru 246433, as presented. Commissioner

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

IN THE MATTER OF ORDINANCE NO. 2013-24
ZA 421-13: PP ENTERPRISE LLC

Don Reitz presented ZA-421/13: PP Enterprise, LLC, a zoning amendment change from AGR/Agriculture Residential District to NB/Neighborhood Business District for 0.81 acres in Guilford Township, located at the northeast corner of SR 67 and CR 880S. He stated the Plan Commission held a public hearing for this zoning request on November 12, 2013 and sends this request for a zoning change with a favorable 7-0-0 recommendation. Commissioner Gentry moved to approve the zoning request of PP Enterprise, LLC to change 0.82 acres in Guilford Township from AGR/Agriculture Residential District to NB/Neighborhood Business District, as recommended by the Plan Commission, as Ordinance 2013-24. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ORDINANCE NO. 2013-25
ZA 422-13: BRANDON & MEGAN ZINK

Don Reitz presented ZA 422/13: Brandon & Megan Zink, a zoning amendment change for 5.00 acres in Middle Township, located west of CR 401 E and approximately .07 mile north of the intersection with CR 850N. He stated the Plan Commission held a public hearing for this zoning request on November 12, 2013 and sends this request for a zoning change with a favorable 7-0-0 recommendation. Commissioner Gentry moved to approve the zoning request of Brandon & Megan Zink to change 5.00 acres in Middle Township from HG/Highway Business District to AGR/Agriculture Residential District, as recommended by the Plan Commission, as Ordinance No. 2013-25. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CYPRESS MANOR

James McBryant presented an application for residency at Cypress Manor for Pamela Kay Lewis. Mr. McBryant gave a brief history of this individual and recommended temporary residency. Commissioner Gentry moved to approve temporary residency for this individual in Cypress Manor, as recommended by the Cypress Manor Director. Commissioner Whetstone seconded the motion. Commissioner Palmer requested Mr. McBryant to bring back an update on this individual. The motion was approved unanimously 3-0-0.

James McBryant presented an application for Susan Alexander that he had previously emailed to the Commissioners for permanent residency at Cypress Manor. Commissioner Gentry moved to ratify the approval of permanent residency at Cypress Manor for this individual, as recommended by the Cypress Manor Director.

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

IN THE MATTER OF GASB 45

Mike Graham explained the Commissioners need to ratify the President signing the Service Agreement with Nyhart to prepare the GASB 45 actuarial updates for the unfunded liability associated with retiree health care benefits. Cinda Kattau explained these two agreements. Commissioner Whetstone moved to ratify the President signing the Service Agreement with Nyhart for the GASB 45 updates for 2013 and for 2015. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF JE-TO LAKE

Mike Graham explained since the Commissioners signed the grant application for Je-To-Lake at the end of 2012, the residents and their grant administrator Amy Miller have been working to obtain additional funding. Originally, the residents of Je-To Lake secured a grant from the Indiana Office of Community & Rural Affairs (OCRA). During the grant process they became aware that an additional grant could be secured from Rural Development (RD). The RD grant could be secured for the purpose of dredging the lake, increasing the project from \$964,654 to \$1,295,000. Because it has been about one year since the Commissioners signed the original OCRA grant application the State is asking the Commissioners to sign an amended application. He stated Ms. Miller and a resident of Je-To Lake, Mary Dugan, will be at the December 10, 2013 meeting seeking approval for the Commissioners to sign the application and at this point and they will not be asked to amend the current Hendricks County Fair Housing Ordinance. Mr. Graham also stated, however, if the grant is approved it is likely Ms. Miller and Dugan will be back seeking an amendment to the Fair Housing Ordinance in order to comply with the OCRA requirements. Jeff Healy, Banning Engineering, explained the testing they had done on Je-To Lake and the proposed design. There was discussion of the wording in the grant. It was the consensus of the Commissioners to continue the Je-To-Lake grant discussion to the December 10, 2013 meeting and for Commissioner Whetstone to call the State and request they hold the funds for two weeks on this project. The Commissioners requested Counsel to review the County's Fair Housing Ordinance.

IN THE MATTER OF MULTI - HAZARD

Lisa' Crouch, Emergency Management, presented a draft letter for approval to James S. Grider, Mitigation Officer of the Indiana Department of Homeland Security, relative to the Hendricks County Multi Hazards

Mitigation Plan. She explained this letter is expressing our interest in participating in the Indiana Department of Homeland Security's application for funding in order to update our existing Multi Hazard Mitigation Plan. Commissioner Gentry moved to approve the letter relative to the Hendricks County Multi Hazards Mitigation Plan, as presented, 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 FLEXIBLE SPENDING

Mike Graham presented the Summary of Material Modifications for Amendment #1 to the Hendricks County Flexible Benefits Plan and stated this amendment makes it effective January 1, 2013 that the unused balance, up to \$500, in your account may be used the following year. The 2½ month grace period for unused balances has been eliminated. Commissioner Gentry moved to approve the changes to the Flexible Benefits Plan as stated in Summary of Material Modification for Amendment #1 of the Hendricks County Flexible Benefits Plan and authorize 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 2014 MEETING DATES

There was discussion of the need to set the 2014 Commissioner meeting dates. There was discussion of dates. Commissioner Gentry moved to continue with Commissioners' meetings on the second and fourth Tuesday of each month. Commissioner Whetstone seconded the motion. Commissioner Whetstone requested that a note be added at the top of each agenda stating "If a holiday or emergency closing on a regular scheduled date, the meeting would be moved to the following day". The motion was approved unanimously 3-0-0.

IN THE MATTER OF SYCAMORE SERVICES - LINK

Pat Cockrum, Executive Director Sycamore Services, presented the Indiana Department of Transportation Section 5311 Grant Agreement 1803243O, EDS #A249-320410 effective January 1, 2014 through June 30, 2015 for Link Hendricks County. Commissioner Gentry moved to approve the INDOT Section 5311 Grant Agreement 1803243O, as recommended, 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.

Pat Cockrum, Executive Director Sycamore Services, presented the Indiana Department of Transportation Section 5311 Grant Agreement for ARRA Funded Projects – Tier "W" EDS #A248-14-320481. He stated this was in the amount of \$93,000 and would fully fund the replacement of two Link vehicles. He also explained the guidelines for replacements. Commissioner Gentry moved to approve the INDOT Section 5311 Grant Agreement for ARRA Funded Projects – Tier "W" EDS #A248-14-320481, as recommended, 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 COUNTY FLEET

Sheriff Dave Galloway stated the Hendricks County Sheriff Fleet projected needs for 2014 would be 8 vehicles plus equipment. Fleet Manager Doug Wilber presented the list of vehicles totaling \$217,000 and the equipment with costs per vehicle totaling \$40,998, with the total cost for the eight fully equipped vehicles of \$257,998. He

noted all trade-in vehicles are for 2008 and 2009 models in excess of 100,000 miles for the Sheriff Road Patrol and this list does not include any additional vehicles for the Sheriff Department. There was discussion of where these vehicles would be purchased and of the trade-in. Mr. Wilber stated the new vehicles will all be purchased on the State QPA from Fletcher Chrysler/Dodge in Franklin, Indiana, and the trade-ins will be sent to the auction. Commissioner Whetstone moved to approve the purchase of eight vehicles and equipment for replacements for the Sheriff's Department in the amount of \$257,998, as requested by the Sheriff and Fleet Manager. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MPO

John Ayers reported that Hendricks County is receiving funding approval from the Indianapolis MPO (Metropolitan Planning Organization) for the next phase of the B&O Trail from CR 575E to CR 500E for 2017.

John Ayers stated we have also received approval from the MPO for funding of the roundabout at CR 900E and CR 100N.

IN THE MATTER OF B&O TRAIL

John Ayers reported some time ago the Commissioners agreed to use the Special Projects Fund to pay for the cleanup of debris and trash dumped along the B&O Trail right-of-way between CR 500E and CR 575E. He has now received a quote from Ray's Trash for a Not-to-Exceed cost of \$6,500 to clean up this area and requested to forward this cleanup quote to the Hendricks County Solid Waste for payment from their Special Projects Fund. Commissioner Whetstone moved to forward the quote for clean-up of the B&O Trail right-of-way from Ray's Trash for a Not-to-Exceed \$6,500 to Solid Waste for payment from the Special Projects Fund. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ENGINEERING DEPARTMENT

John Ayers advised the Engineering Department has a large format black line copier that is over 10 years old and is no longer serviceable. They also purchased a large format scanner 2 years ago, and both are used extensively by the Engineering and Planning and Building departments. The replacement for the big copier has built in scanning capabilities, so they are proposing to buy the replacement copier for use by Engineering and Planning & Building, and move the scanner upstairs for use by Clean Water and the Surveyor's office. Mr. Ayers stated the cost of the copier is \$13,307.80 and the Planning & Building Department, Surveyor, Clean Water and Engineering have all agreed to contribute ¼ of the cost of the new copier since all four departments will benefit from the two machines. The new machine is a Ricoh and will be purchased from Van Ausdall and Farrar. Doug Morris clarified this is a special type of copier that is not like the other copiers being leased for the other County offices, however, it will still be purchased from Van Ausdall & Farrar using the State pricing. Mr. Ayers also stated this purchase will reduce equipment in County offices and will be encumbered from their 2013 budget. Commissioner Gentry moved to approve the Engineering Department to purchase a replacement black line copier for use by four County offices, as recommended by the County Engineer. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers presented the Annual Equipment Maintenance Agreement MCDJ-1 for the Wide Format Printers Only with Cannon IV for the HP plotter for GIS in the amount of \$1,800. Commissioner Gentry moved to approve the Annual Equipment Maintenance Agreement MCD1 for the stated equipment in the amount of \$1,800 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 ENCUMBRANCES FOR ENGINEERING

John Ayers presented the encumbrances of balance of funds from EDIT and Cume Cap as follows:

Encumbrance Balance of Funds:	1112.42707.000.0143	Courthouse Renovation
Encumbrance Balance of Funds	1138.42709.000.0143	Circuit Court Carpet
Encumbrance Balance of Funds	1138.41131.000.0143	CYM Boiler Garage Gabled Roof
Encumbrance Balance of Funds	1138.41122.000.0143	Hwy Salt Barn Ext. Repaired
Encumbrance Balance of Funds	1138.41116.000.0143	GOC Flat Roof Replacement
Encumbrance Balance of Funds	1138.41076.000.0143	MSM General
Encumbrance Balance of Funds	1138.41092.000.0143	Phone Equip & Maintenance
Encumbrance Balance of Funds	1138.41012.000.0143	Courthouse General
Encumbrance Balance of Funds	1138.41017.000.0143	Misc. Bldg & Renovations
Encumbrance Balance of Funds	1138.41016.000.0143	Government Center General
Encumbrance Balance of Funds	1138.41015.000-0143	Cypress Manor General
Encumbrance Balance of Funds	1138.30309.000.0143	Grounds Maintenance
Encumbrance Balance of Funds	1138.30201.000.0143	Professional Fees
Encumbrance Balance of Funds	1186.41017.000.0143	Rainy Day – Jail Bldg & Reno
Encumbrance Balance of Funds	1112.42007.000-0143	Gordman’s Infrastructure
Encumbrance Balance of Funds	1112.28210.000.0143	R. Reagan Pkwy-CR 100S to US 36
Encumbrance Balance of Funds	1112.33208.000.0143	R. Reagan Pkwy - CR 200S
Encumbrance Balance of Funds	1112.33202-000-0143	R. Reagan Pkwy – US 40 to CR 6000N
Encumbrance Balance of Funds	1112.34347.000.0143`	Bridge No. 48
Encumbrance Balance of Funds	4804.33219.000.0149	CR 1000N Improvements
Encumbrance Balance of Funds	4608.33219.000.0143	CR 1000N Improvements
Encumbrance Balance of Funds	4804.47001.000.0143	Wheel Tax CR 100N
Encumbrance Balance of Funds	1001.30512.000.0143	GIS Consulting Programming

Commissioner Gentry moved to approve and sign the encumbrance letters, as presented by the County Engineer,
Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIDGE NO. 127

John Ayers announced Bridge No. 127, located on CR 450W north of Amo, is now closed for clearing and utility relocations until December 12, 2013 and then will close again April 1, 2014 for bridge repair/replacement.

IN THE MATTER OF SR 267 RELINQUISHMENT

John Ayers reported they are awaiting State signatures on the SR 267 Relinquishment.

IN THE MATTER OF INDOT

John Ayers announced INDOT (Indiana Department of Transportation) has a call for projects outside the MPO (Metropolitan Planning Organization) and he will bring some suggested projects to the December 10, 2013 meeting.

IN THE MATTER OF COLLEGE NETWORK

Mike Graham announced the Hendricks County College Network is seeking authorization to use the County health care benefits. Originally the College Network was funded by Purdue and the County. Over the years Purdue’s contributions have been eliminated. However, under the agreement the Network employees were Purdue employees and any new hires must go through the Purdue hiring policies. Purdue terminated the agreement with the Hendricks County College Network. He explained the down side to this decision is the College Network employees will not have health care benefits. Currently, the Economic Development Partnership and the Solid Waste District's employees participate in the County’s health plan. The College Network would like to follow this arrangement. Participation requires these organizations to pay the full 2014 cost of the health insurance which

is \$15,012 per employee. The County's risk is in the case of a catastrophic loss the County will lose money. Currently, all funding of the College Network comes from Hendricks County and any additional costs associated with obtaining health care will also be a direct cost to Hendricks County. No other local units of government fund the College Network. The Council has approved the inclusion of the College Network in County's health care plan. The formation of the Benefits Committee has muddied the waters over who has the authority to amend the Plan Document which provides the rules to administer the County Health Care Benefits. There has been a consensus approach used by the Commissioners and Council for health care benefits; however, officially the Commissioners have authority over the Hendricks County Health Care Plan. Any change to the Plan Document must be approved by the Commissioners. There was discussion of the need to amend the Plan Document for health insurance. There is currently only one employee at College Network, however, this could increase and would result in additional County funding of health insurance for that employee. It was also noted the College Network will received \$135,000 from the County in 2014. Commissioner Whetstone stated we need to continue to work on the College Network agreement. Commissioner Gentry moved to table the College Network request for health insurance. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ANIMAL CONTROL

Mike Graham stated the Commissioners have previously agreed to support a request to the County Council to convert the two part-time positions at the Animal Shelter into one full time position. He presented a draft letter to the Council requesting the new position. It was the consensus of the Commissioners to sign the letter to Council regarding combining the two part-time positions into one position, as presented.

Mike Graham presented a letter to Council requesting the transfer of \$2,000 in the Animal Control 2013 budget from the Interim Director line to Chief Animal Control Officer line. It was the consensus of the Commissioners to approve and sign this transfer letter, as presented.

IN THE MATTER OF BROWNSBURG ANNEXATION

Mike Graham explained Brownsburg annexed almost 70 homes in the Wynne Farms Subdivision. According to the Indiana Code, if the population density or the size of the lots meet a certain standard the law requires the formation of an Advisory Board. The Advisory Board has input to how the property taxes received from the annexation are spent. He stated the Commissioners appoint two members to the Advisory Board and the appointments have to own property and live in the annexed area. Brownsburg is looking for nominees to submit to the Commissioners for these two appointments.

IN THE MATTER OF EXIT 59 TIF (PROJECT CHRISTIE)

Mike Graham explained there is a proposed TIF for the southwest quadrant of I-70 & SR 39. He presented the estimate of the increment revenue that might be generated from the proposed Project Christie that was provided by Greg Guerrettaz of Financial Solutions Group, for this project at the southwest quadrant of I-70 and SR 39. He also reported the Redevelopment Commission is meeting December 5, 2013 to begin the process. Commissioner Gentry asked about the estimated revenues to the Mill Creek Schools if we did a 40% TIF pass through to the other

units. Mr. Graham referenced the report stating the 60% captured in the TIF each year and the remaining 40% would be passed through to the underlying taxing units, including the County and the School Corporation.

IN THE MATTER OF CLEAN WATER

Jim Mardis presented the renewal permit with IDEM for Rule 13 for Clean Water for execution and explained this permit must be renewed every five years. Commissioner Gentry moved to approve the renewal IDEM permit for Clean Water 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 UNSOLD PARCELS

Auditor Cinda Kattau presented a list of parcels that did not sell at the recent Tax Sale and stated these parcels now belong to the Commissioners. She stated there is one half acre parcel on CR 900N that could be of possible interest to the Commissioners for Highway. There was discussion of conducting a Certificate Sale to move these parcels. It was the consensus of the Commissioners to move forward with a Certificate Sale to sell these parcels and to conduct SRI to handle the sale as they conducted the Tax Sale,

IN THE MATTER OF COUNTY FLEET

Commissioner Whetstone announced he would be meeting with a representative of a firm that does fleet management.

IN THE MATTER OF COURT HOUSE USE

Commissioner Palmer inquired the status of a citizen request to use the Court House for a December wedding. It was noted the Court House Use Fee Ordinance was emailed to the citizen and he responded that his daughter has found a room to use in the Scottish Rite Cathedral so he withdrew his request for the Court House.

IN THE MATTER OF CORRESPONDENCE

Commissioner Palmer acknowledged receipt of the following:
Correspondence:

- 1. IDEM Notice of Construction Permit (Approval No. 20856) which applies to the construction of the Linden Square Apartments proposed sanitary sewer system to be located on the northwest corner of the intersection of CR 100N and North Raceway Road, in Hendricks County, Indiana.
- 2. Novice from IDEM that the Indiana Department of Environmental Management Office of Water Quality Facility Construction Section has received a sanitary sewer construction permit application on November 20, 2013 from Mr. Ron Goff, District Manager, West Central Conservancy District. as required by IC 13-15-3-1. If approved by IDEM the permit would allow the applicant to construct a sanitary sewer for Clubhouse Lift Station #5 Elimination Project in Avon, Indiana.
- 3. IDEM Notice of CFO / CAFO Application Packet Notification of Application Submitted Confined Feeding Operation from National Pollutant Discharge Elimination System Concentrated Animal Feeding Operation for Himsel Brothers Farm, Danville, IN.

Action needed/taken on the following:

- | | |
|---|---|
| 1. Checks received and signed to the county: | \$ 175.40 Sheriff 2008 Vehicle Door
\$300.00 Rokita Rental
\$175.00 Sherriff Vehicle Deer Crash
\$641.80 Sheriff Vehicle Loss 11-16-13 |
| 2. Commissioner Palmer signed vehicle titles for the following: | None |
| 3. Documents needing action: | None |

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway reports for the weeks of October 18, October 25, November

1, November 8, November 12 and November 18, 2013. from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF WEIGHTS AND MEASURES

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

IN THE MATTER OF VETERANS AFFAIRS

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

Commissioner Gentry moved to adjourn the Commissioners’ meeting at 11:00 AM. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

Phyllis A. Palmer, President

Bob Gentry, Vice President

Matthew D. Whetstone, Member

ATTEST: _____
Judith Wyeth, Deputy Auditor

