

December 10, 2013

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, December 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)	
Cinda Kattau		Hendricks County Auditor
David Gaston		Hendricks County Surveyor
Larry Hesson		Hendricks County Council
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
Douglas Morris		Hendricks County Systems Manager
Curt Higginbotham		Hendricks County Highway Superintendent
Tammy Brinkman		Hendricks County Director of Nursing
Kevin Cavanaugh		Hendricks County Facilities Manager
Jim Andrews		Hendricks County Assistant Engineer
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 26, 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 #246434 thru 246796, #105740 thru 105794 and Direct Deposit #100774 thru 111231, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BID OPENING - HIGHWAY 2014 SUPPLIES

Commissioner Palmer stated the Notice to Bidders for Highway 2014 supplies had been duly advertised for 9:00 AM and it was now 9:03 AM. Commissioner Whetstone moved to acknowledge the bids received and to close bids for Highway 2014 supplies at 9:04 AM. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. John Ayers and Curt Higginbotham opened the bids and acknowledged receipt of the following bids:

Reith Reilly	Hartsock Metals	234 Quarry	US Aggregates
Martin Marietta	Metal Culverts	HC Water Works	St. Regis Pipe
CPI Supply	Lincoln Park Stone	Milestone Contractors	Asphalt Materials
Trailer Fuel	Mansfield Fuel	Pinkerton Oil	Co-Alliance LLP

John Ayers requested that Jim Andrews and Curt Higginbotham take bids across the hall to Room #3, to read the bids and then bring back a recommendation to the next meeting. It was the consensus of the Commissioners to read the bids in Room #3 and bring back a recommendation for the 2014 Highway supplies to the December 31, 2013 meeting.

IN THE MATTER OF MORGAN COUNTY COMMISSIONER

Commissioner Palmer introduced Don Adams, Morgan County Commissioner, and welcomed him to the meeting. She also announced Mr. Adams is the new Vice President of the West Central District of the Indiana Association of County Commissioners.

IN THE MATTER OF ORDINANCE NO. 2013-26
AN AMENDMENT TO ORDINANCE NO. 2011-30
COMMISSIONER AND COUNCIL ELECTION DISTRICTS

Commissioner Palmer announced the Amendment to Ordinance No. 2011-30 for Commissioner and Council Election Districts had been duly advertised for a public hearing at 9:00 AM and it was now 9:10 AM.

Commissioner Whetstone moved to open the public hearing for An Amendment to Change the Council Districts. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Mike Graham noted the map showing the four new districts for County Council. Commissioner Palmer stated a change in Council districts was recommended by DePauw University students to make the districts with more equal populations and with contiguous areas. The proposed change was taken to the Council at their November 14, 2013 meeting. There was no public input. Commissioner Whetstone moved to close the public hearing at 9:12 AM. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Whetstone moved to adopt and sign An Amendment to Ordinance No. 2011-30 for Commissioner and Council Election Districts as Ordinance No. 2013-26. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ANIMAL CONTROL ADOPTION FEE ORDINANCE

Commissioner Palmer announced the Amendment to the Animal Control Ordinance Adoption Fee had been duly advertised for a public hearing for 9 AM and it was now 9:13 AM. Commissioner Gentry moved to open the public hearing for the Animal Control Adoption Fee Ordinance. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0. Mike Graham explained this fee ordinance was recommended by the Animal Advisory Group at their November 7, 2013 meeting. Commissioner Gentry explained at the December 5, 2013 Advisory Group meeting it was recommended that a waiver provision be added to the ordinance in the case of having a major adoption event. The waiver would be important for cat adoption events. Commissioner Gentry moved to table the animal adoption fee ordinance at this time. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0. There was discussion of the need to re-advertise this ordinance for a public hearing. It was the consensus of the Commissioners to contact legal counsel on the matter of re-advertising this ordinance for a public hearing.

IN THE MATTER OF HEALTH DEPARTMENT ORDINANCE

Tammy Brinkman presented a draft ordinance for the Hendricks County Board of Health Ordinance for Collection of Fee and explained the changes. She stated the Health Board approved and recommended this ordinance at their December 3, 2013 meeting. There was discussion of the changes in the ordinance. Ms. Brinkman requested to advertise this health fee ordinance for a public hearing. Commissioner Gentry moved to advertise the Amended Fee Ordinance for the Health Department for Collection of Fees for a public hearing at 9 AM on January 14, 2014. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF JE-TO LAKE

Mary Dugan, a resident of Je-To Lake subdivision, gave a brief history of the residents of Je-To Lake working

to obtain grants for reconstruction of the Je-To Lake. Mike Graham stated he gave the compromise idea of citing the Federal Register in an amended Fair Housing Ordinance and leaving out the definition of family to the grant administrator, Amy Miller, and she forwarded the idea to the OCRA staff. The OCRA staff states the new definition of family has been adopted by 91 Indiana Counties. Also, they stated Plainfield has adopted the new definition. Mary Dugan provided the following projected financial impact to the resident of Je-To Lake if the grant and loan are not secured. The impact is significant.

	<u>Cost to Household with Grant & Loan (38 years)</u>	<u>Cost to Household without Grant & Loan</u>
Low	\$418.16/year	\$2,022.50/year
High	\$926.29/year	\$4,480.92/year

The low is the lowest valued house in the project area and the high is the highest value. The low and high numbers per household without the grant & loan are used for a comparison and the project would probably not be done without the grant. He further explained that additionally, Mary Dugan and two other neighbors have secured the current bank loan using their personal savings accounts as surety. Mr. Graham stated if they do not get the Rural Development loan to pay off the current bank loan they may have to forfeit their savings accounts. The residents of Je-To Lake have made a very significant financial commitment to addressing the problems they have with the lake and the dam. They have done this without seeking financial support from County government. Amy Miller, Cornerstone Grant Administrator, explained the grant application process and presented the 1) Cornerstone Grants Management Letter of Transmittal, 2) Indiana Office of Community and Rural Affairs Community Development Block Grant Small Cities Program Assurances and Certifications, 3) Readiness to Proceed Certification, 4) Civil Rights Certification, 5) Duplication of Benefits Certification, and 6) Application/Recipient Disclosure Update Report. Ms. Miller stated the County is a “pass through” for this grant. There was discussion of the grant and the need to dredge this lake for the residents. Commissioner Whetstone moved to approve the grant application and to allow the President to sign the required documents presented, on behalf of the Commissioners. Commissioner Gentry seconded the motion. There was discussion of the Fair Housing Ordinance and for legal counsel to talk with representatives of OCRA on this matter. The motion was approved unanimously 3-0-0. Amy Miller gave the time frame to meet all the requirements for this grant.

IN THE MATTER OF COLLEGE NETWORK

Brandy Perrill, Executive Director Hendricks College Network, introduced members of the College Network Board, Gus Percy and Larry Hesson. They gave a brief history of the College Network and spoke of the importance of the College Network to bringing businesses to Hendricks County. Ms. Perrill gave statistics from the College Network for enrollment and colleges currently associated with the Hendricks County College Network. She advised the College Network is no longer receiving funds from Purdue University and that her insurance through Purdue will expire in March 2014. The Commissioners noted College Network had requested to be a part of the County health insurance program at a cost to the County of \$15,012 per employee and that request was

tabled at the November 26, 2013 meeting. There was discussion of this request. It was the consensus of the Commissioners to take this request under advisement.

IN THE MATTER OF INSURANCE QUOTES

Mike Graham requested to continue the insurance quotes to the next meeting in order for John Parmley to complete the information and email to the Commissioners for their review prior to the meeting. It was the consensus of the Commissioners to continue the presentation of the insurance quotes to the December 31, 2013 meeting.

IN THE MATTER OF EXCESS EQUIPMENT

John Ayers stated a couple of months ago we took bids for some of our Bobcat attachments we do not use. The snow blade sold, however, the tracks did not sell. He requested permission to take the tracks to Ted Everett’s Farm Sale to sell at his next equipment auction. There was discussion of selling this equipment. It was the consensus of the Commissioners for John Ayers to move forward to sell the equipment as stated.

IN THE MATTER OF BRIDGE NO. 106

John Ayers reported there is a current call out from INDOT for projects outside the MPO (Metropolitan Planning Organization) area. He stated the County could submit Bridge No. 106, located on CR 550N southwest of North Salem. He explained they originally designed this bridge for replacement with Local Funds back in 1997 and there will need to be some update to the design, but the right-of-way has already been purchased. USI did the original design. Mr. Ayers recommended to pay for the design updates and to apply for federal aid for construction of this bridge. He stated the County construction estimate is approximately \$1.2 million and design cost should be around \$250,000. He presented a draft letter to INDOT to go along with the application if submittal is approved. Commissioner Whetstone moved to approve and sign the letter to INDOT for Bridge No. 106, as recommended by the County Engineer. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF JAIL

John Ayers gave an update on the jail project and explained it is nearing completion, but there are a couple of last minute changes that may require funds over that we have left in the contract. He stated he will know more about the pricing by the next meeting and he may bring a request for additional appropriation when the amount is known.

IN THE MATTER OF TOWN OF DANVILLE

John Ayers reported Danville Water is extending a water line that will require a County permit for a road cut. He stated the Town of Danville and the County have routinely waived permit fees for each entity. He requested approval to waive this permit fee. It was the consensus of the Commissioners to waive the permit fee for the Town of Danville for this road cut to extend a water line. Jim Mardis inquired if Clean Water would be involved in this matter. He was instructed to check with the Town of Danville.

IN THE MATTER OF SR 267 RELINQUISHMENT

John Ayers advised he had received no response on the SR 267 relinquishment agreement.

IN THE MATTER OF CYPRESS MANOR AND GOVERNMENT CENTER

Kevin Cavanaugh stated Precision Control Systems of Indianapolis has provided the County with very satisfactory preventative maintenance for both the County Home (Cypress Manor) and the Government Center for several years and our contract is up for renewal. He presented the annual Preventative Maintenance Agreement with Precision Control Systems for the County Home (Cypress Manor) for January 1, 2014 through December 31, 2014 in the amount of \$2,860. Mr. Cavanaugh also presented the annual Preventative Maintenance Agreement with Precision Control Systems for the Government Center for January 1, 2014 through December 31, 2014 in the amount of \$16,640. A list of the coverage was provided with each agreement. There was discussion of the services provided. Commissioner Whetstone moved to approve the renewal agreements with Precision Control Systems of Indianapolis for Cypress Manor and the Government Center, as presented, 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 COURT HOUSE FOUNTAINS

Kevin Cavanaugh reported they need to replace the three marble drinking fountains, one on each floor inside the Court House, and explained two were broken and removed several years ago, leaving a large space in the wall that was not becoming to the major Court House renovations and repairs that have been constructed in the last several years. He stated he had found a company that will make three replacement bowls that will be for decorative purposes only that will match the historic appearance of the original fountains in the amount of \$19,000, not including installation. He stated he will fund these new bowls from the 2014 budget. There was discussion of this matter. It was the consensus of the Commissioners to look at the areas in the Court House where these fountains were originally located and bring back a recommendation at the next meeting.

IN THE MATTER OF VIDEO COURT

Kevin Cavanaugh advised the replacement for the previous system for the Circuit Court Video Court Connection is not functional. It is a network based system and the new tech electronics will cost \$6,457.00. Commissioner Gentry moved to approve replacements for Circuit Court Video Court in the amount of \$6,457.00. as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CYPRESS MANOR

Mike Graham reported Commissioner Whetstone has been leading the discussion with Hendricks Regional Health to evaluate the possibility of Hendricks Regional Health operating and managing Cypress Manor. The goal is to reduce the costs associated with County government by eliminating this as a County function. Mr. Graham stated he and Commissioner Whetstone are aware that there are a number of items that need to be addressed in order to make this change and explained these changes. There was discussion of several items of concern. It was the consensus of the Commissioners to appoint a committee consisting of James McBryant, Mike Graham, a Commissioner, a representative from the Engineering Department and a member of County Council to look at turning over the operations and management of Cypress Manor to Hendricks Regional Health.

IN THE MATTER OF TIF FOR EXIT 59

Mike Graham referenced the November 26, 2013 letter from Paul Kite, Partner 70 / 39 Partners, LLC, requesting the formation of a TIF district that would provide a gravity sewer connection to the west side of SR 39 for 315 acres at the southwest corner of SR 39 and I-70 for the Wilson and Rogers farms. The letter stated they are in ongoing negotiations with several developers who are working with multiple businesses that are considering locating there. Mr. Graham stated the Hendricks County Redevelopment Commission met on December 4, 2013 to hear a presentation on the proposed TIF at the southwest quadrant of I-70 and SR 39. There are three developers who are currently a part of the proposed TIF, Paul Kite, Mark Sanders and Aasif Bade. Greg Guerrettaz. Financial Solutions Group, and Attorney Bruce Donaldson attended the meeting and proposed a timeline for establishing the TIF: The Redevelopment Commission will meet on January 8, 2014 for the Declaratory Resolution; The County Council will meet on January 9, 2014; and then; both the Commissioners and the Plan Commission will meet on January 14, 2014 for their consideration. The current proposal has 60% of the TIF revenue being used for the public improvements associated with the development and 40% of the new revenues would be a pass through to all local units of government. The Redevelopment Commission has approved a motion directing Attorney Bruce Donaldson to prepare a Declaratory Resolution. There was discussion of this request. It was the consensus of the Commissioners to proceed with establishing a TIF district for the 315 acres on the southwest corner of Exit 59.

IN THE MATTER OF DEPARTMENT HEAD EVALUATIONS

Commissioner Palmer announced the Commissioners would be meeting on Friday, January 3, 2014 with the Department Heads to discuss their goals and accomplishments. Mike Graham will make a schedule for these meetings.

IN THE MATTER OF MARY JANE WEATHERS

Commissioner Palmer acknowledged the passing of Mary Jane Weathers. Ms. Weathers served as Hendricks County Auditor from 1969 through 1976, as Hendricks County Treasurer from 1977 thru 1983 and again as Hendricks County Auditor from 1984 through 1987. Ms. Palmer noted the flags at all County buildings are flying at half staff today in memory of Ms. Weathers.

IN THE MATTER OF FLAG POLICY

Commissioner Palmer requested a copy of the current Hendricks County Flag Policy be sent to the Commissioners for their review and comment.

IN THE MATTER OF APPOINTMENTS

Surveyor Dave Gaston requested for the Commissioners to clarify the appointment of Stan Ryland to the Drainage Board on December 22, 2009 through December 31, 2013 as he would be up for reappointment for a three-year term. It was noted that appointments would be made at the December 31, 2013 meeting.

Commissioner Whetstone acknowledged Kathleen Corbin for serving two terms on the Board of Trustees for the Hendricks Regional Health, and requested a note be sent to her. It was the consensus of the Commissioners to send an appreciation note to Kathleen Corbin for her service to Hendricks County.

IN THE MATTER OF CORRESPONDENCE

Commissioner Palmer acknowledged receipt of the following:

Correspondence:

- 1. A letter from Indiana Department of Environmental Management (IDEM) Office of Air Quality, Permits Branch stating an application from the Auto Body and Glass Repair Plainfield. A copy of this application is available at the Plainfield Public Library and at the IDEM Office of Air Quality.
- 2. The Avon Redevelopment Commission sent Notice to Taxpayers and All Other Persons Affected of Proposed Amendments to Declaratory Resolution No. 1-1999 and the Economic Development Plan for the Avon Economic Development Area No. 1 and Notice of Public Hearing on Proposed Amendment

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 November 25 through December 6, 2013 from Ron Love, Human Resources Director.

Commissioner Whetstone moved to adjourn the Commissioners’ meeting at10:50 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
