

July 8, 2014

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, July 8, 2014 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
John Ayers		Hendricks County Engineer
Michael E. Graham		Administrator to Commissioners
James McBryant		Director Cypress Manor
Kevin Cavanaugh		Hendricks County Facilities Manager
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 June, 24, 2014 meeting, as corrected.
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 #253548 thru 253832, #106734 thru 106776 and Direct Deposit #117632 thru 118084 as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CYPRESS MANOR

James McBryant presented an application for admission to Cypress Manor for Sebastian David Hunt along with a Summary of Application for Residency and stated Center Township Trustee Judy White had contacted him about this individual. Mr. McBryant stated this would probably be for temporary residency while the individual looks for a job. Commissioner Whetstone moved to approve the application for residency at Cypress Manor, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

James McBryant presented an application for admission to Cypress Manor for Sean Patrick O’Neill of Avon and explained he is currently looking for a job. Commissioner Gentry moved to admit this individual as a resident of Cypress Manor, as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

James McBryant reported with the admission of these two individuals approved today they have 23 residents at Cypress Manor.

Commissioner Palmer requested James McBryant to work with staff to set up a luncheon and tour of Cypress Manor.

James McBryant presented the Cypress Manor Mission, Vision and Values Statement.

IN THE MATTER OF RECORDER’S OFFICE

Two contracts for computer service in the Recorder’s Office were continued from the previous meeting. Attorney Greg Steuerwald explained the requested changes in the contracts that both he and Doug Morris, Systems Administrator, had approved for the County. He presented the revised CSI – Contract for Premium Software Maintenance Agreement in the amount of \$9,800 for the Recorder’s Office and the CSI System Support Agreement in the amount of \$8,900 for the Recorder’s Office. Commissioner Whetstone moved to approve and sign both the

revised CSI contract for Premium Software Maintenance Agreement and the revised CSI System Support Agreement for the Recorder’s Office, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0/

IN THE MATTER OF REMOVING NAMES FROM SEARCHABLE FILES

It was noted Court Administrator Catherine Haines previously requested to remove some names from the searchable files that was continued from the June 10, 2014 meeting, however, Ms. Haines was not in attendance today, therefore, no action was taken on this request.

Receipt was acknowledged of an email from law enforcement officials Joseph and Jennifer Fults requesting their property information be removed from any publicly viewed website providing information through Hendricks County, included, but not limited to the County web site and stating their positions qualifies both of them for this exemption. Commissioner Whetstone moved to approve the removal of these individuals property information from any publicly viewed website providing information through Hendricks County. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COMMUNITY CORRECTIONS BOARD

It was noted there was need for an appointment to the Community Corrections Board to replace Torrey Rodkey as the Education Administrator on this board. Commissioner Palmer announced she had contacted an individual to fill this vacancy, however, they had declined and the Commissioners now need to look elsewhere for a replacement on this Board.

IN THE MATTER OF SHERIFF DEPARTMENT

Receipt was acknowledged of a letter from Hendricks County Lieutenant James C. Yetter requesting the Glock Model 221 .45 caliber handgun bearing serial # TAP935, currently in the armory, has been declared surplus and is eligible to be issued to Corporal Frank Harris upon his retirement. Commissioner Whetstone moved to declare this handgun as surplus and issue to Corporal Harris upon his retirement. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HUMAN RESOURCES

Mike Graham announced we have received the Engagement Letter from Kent Irwin of Waggoner*Irwin*Scheele & Associates to provide human resources consulting services and job classification for Hendricks County. There are two primary elements in the agreement: The first element is to design and provide training of Hendricks County staff on a performance appraisal system. The second is to provide ongoing assistance on human resource administration. Mr. Graham presented a revised copy of their proposed agreement to be billed hourly and not-exceed \$4,500 for 2014 plus expenses. Attorney Greg Steuerwald explained the changes were to clarify the \$4,500 charge was for one year. Commissioner Whetstone moved to approve the Waggoner*Irwin*Scheele & Associates Letter of Engagement to provide Hendricks County human resources consulting services and allow the President to sign on behalf of the Commissioners. Commissioner Palmer seconded the motion and the motion was approved 2-1-0 with Commissioners Palmer and Whetstone voting aye and Commissioner Gentry voting nay. Commissioner Gentry stated he did not approve the concept.

IN THE MATTER OF BROWNSBURG WAGE COMMITTEE

Receipt was acknowledged of a request from Thomas J. DeRue, Jr. of Kroger, Gardis & Regas, Attorneys, for an appointment to the Wage Committee for the Town of Brownsburg for the 2014 Street Resurfacing Project and the Green Street – Street Scape Project. It was noted the Wage Hearing is scheduled for Thursday, July 31, 2014 and this appointment must be a resident of the Town Brownsburg. Commissioner Whetstone stated he is a resident of Brownsburg and volunteered to serve on this committee, if he was eligible. Commissioner Gentry moved to appoint Matthew D. Whetstone to serve on the Common Construction Wage Committee for the Town of Brownsburg for the stated upcoming projects, subject to further review and clarification that he is eligible to serve on this committee by legal counsel and if he was not able to serve that Walt Duncan of Brownsburg be appointed to this committee.

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

IN THE MATTER OF BRIDGE NO. 290

John Ayers referenced previous discussions relative to applying for Federal Funds for 2019 through the Indianapolis MPO (Metropolitan Planning Organization) for the rehabilitation of Bridge No. 290, located on Dan Jones Road over the CSX tracks. He stated upon going through the application process it was discovered that the bridge would not be eligible because it is considered neither Functionally Obsolete nor Structurally Deficient. He explained the deck on this bridge is in very bad shape and we will probably try to budget the project anyway.

IN THE MATTER OF RONALD REAGAN PARKWAY – CR 100S TO CR 200S

John Ayers announced the Ronald Reagan Parkway from CR 100S to CR 200S is now complete and has received the final approval from IDEM and INDOT. He presented the final Change Order No. 010 with Milestone Contractors and CrossRoad Engineers to sign in the amount of \$13,552 for reseeding. Mr. Ayers noted overall the project is \$32,664 below the original bid amount. Commissioner Gentry moved to approve and sign Change Order No. 010 for the Ronald Reagan Parkway from CR 100S to CR 200S, as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF B&O TRAIL

John Ayers reported the B&O Trail Phase 4 from CR 575E to CR 500E has been approved for Federal Funding and they would like to accelerate the letting date to March 2015. He explained the engineering will be funded by the B&O Trail Association (BOTA) and the County needs to get an agreement signed so CrossRoad Engineers can start design and meet that deadline. He presented an Agreement for Engineering Services with CrossRoad Engineers for the B&O Trail Phase 4, Des #140271 in the amount of \$77,745 that will be funded by the B&O Trail Association. Commissioner Whetstone moved to approve and sign the Agreement for Engineering Services with CrossRoad Engineers for Phase 4 of the B&O Trail from CR 575E to CR 500E, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers explained the B&O Trail Phase 3 from SR 267 to CR 575E is going to letting in December and there is a utility pole that needs to be relocated at SR 267, Frazee Gardens, that will require reimbursement to Duke Energy. He stated he and Greg Steuerwald had met with representatives from Duke Energy and they stated they would not agree to moving this at no cost. This pole needs to be moved in order to install the "Beacon System" at the trail

intersection with SR 267. Mr. Ayers stressed this is an 80/20 Federally Funded project and the B&O Trail Association will fund their 20% of the project. He presented a Utility Reimbursement Agreement between Duke Energy Indiana and B&O Trail, Phase III, in the amount of \$39,776.29. Commissioner Palmer moved to approve and sign the Utility Reimbursement Agreement with Duke Energy for pole relocation on the B&O Trail, as presented Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ROAD STRIPING

John Ayers advised they have prepared documents to receive quotes for road striping as part of the resurfacing projects for this year and requested to advertise for quotes for 120,000 linear feet of road striping. Commissioner Gentry moved to approve the County Engineer’s request to advertise for quotes for road striping. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PARKING LOTS

Kevin Cavanaugh presented a quote from Envirosweep to clean the parking lots at the Government Center, Courthouse Annex, Broadway Street Parking, Adult Probation, East Campus Boulevard, Work Release Facility and Animal Shelter in the amount of \$4,060, which includes disposal and reporting. He also had a quote for crack repair and striping of the parking lots at the Government Center in the amount of \$4,936 and the Courthouse Annex in the amount of \$2,250 for total cost of crack repair and striping of \$7,186. He stated they have funding in their budget to cover this lot upgrade and that the parking lot work would be done on weekends. Commissioner Gentry moved to accept the quote from Envirosweep to clean, repair cracks and strip the County parking lots, as stated. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MUSEUM RETAINING WALL

Kevin Cavanaugh explained the retaining wall around the County Museum is failing and needs to be repaired and stated this repair is in their budget. He presented quotes for this work from:

K. A. Miner Excavating	\$26,450	Allen & Scott Enterprises	\$31,860
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There was discussion of this repair. Commissioner Whetstone moved to accept the low quote from K. A. Miner Excavating to re-establish the retaining wall around the museum. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HIGHWAY SALT BARN

Kevin Cavanaugh presented quotes for repair/replacement of the Highway salt barn siding:

Joe Powel Construction	\$16,854	Fultz Remodeling	\$15,200
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He explained there is \$1,700 difference in the two quotes, however, Fultz Remodeling is preparing to do the restroom restoration at the Court House and Joe Powell Construction is ready to begin work on this project now and recommended to go with Joe Powell Construction for the repair/replacement of the salt barn siding, due to our experience with them and their proposed work schedule. There was discussion of this recommendation. Commissioner Whetstone moved to approve and accept the quote from Joe Powell for the repair/replacement of the salt barn siding. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MASS FATALITY PLAN

Mike Graham reported the Emergency Management staff and Health Department staff, in cooperation with an

advisory committee, have prepared an All Hazards Mass Fatality Plan to be adopted as a supplement to the County’s Emergency Management Plan. He stated the Commissioners will need to adopt the Mass Fatality Plan and presented a copy of the plan for review. He recommended after the Commissioners review this plan and revisions are made, this be placed on the July 22, 2014 agenda for consideration of adopting the plan as a part of the Emergency Management Plan. There was discussion of this plan. It was the consensus of the Commissioners to add the All Hazards Mass Fatality Plan to the July 22, 2014 agenda for further consideration.

IN THE MATTER OF EMPLOYEE LIFE INSURANCE

Mike Graham advised the County uses Lincoln Financial to provide a \$25,000 term life insurance policy for each employee. Lincoln has been our life insurance provider for approximately 10 years. Also, Lincoln provides additional coverage for those employees who elect to have it. Over the past twelve months, payroll has not received the billing statements from Lincoln in a timely manner. Also, payroll is having difficulty in reconciling the bills from the way the statements are put together. Around the beginning of the year, Lincoln increased the amount of the insurance premiums due without notifying our employees. Last year we asked Lincoln to participate in our open enrollment process and they did not. The bottom line is they are providing bad service and we need a new insurance company. A lot of clients of Jeff Fox, H.J. Spier Co., have experienced similar problems with Lincoln and the H.J. Spier Co. has negotiated with Met Life to move their clients from Lincoln to Met Life. Because H.J. Spier is moving a large block of business to Met Life they are getting a good rate. Mr. Graham recommended two options for consideration. 1) To switch insurance companies without the involvement of the Council or the Benefits Committee because the County is not providing a new benefit they are only changing the vendor. 2) The Commissioners to be inclusive and take the discussion about a new insurance vendor to the Benefits Committee. Commissioner Whetstone moved to let H. J. Spier Co, negotiate with Met Life for the benefits of the County. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COMMUNICATIONS - GENERAL OBLIGATION BOND

Mike Graham referenced the last meeting when the idea of using a general obligation bond to fund the new radio equipment and new antennas needed for the Communications Center was introduced. Since the last meeting Auditor Cinda Kattau put together an estimate of the impact that a 4 year or a 7 year GO bond would have on four farms and sent an electronic copy. Also, a letter signed by Commissioner President Palmer was sent to the County Council to let them know this option was being considered. Mr. Graham inquired if the Commissioners wanted to take a position on advocating that the County in cooperation with the Communications Center Governing Board look at this option? There was discussion of the effect this GO bond would have on the taxpayers and the need to fund the Communications Center equipment. It was the consensus of the Commissioners to move forward to have Greg Guerrettaz, Financial Solutions Group, to come in to explain this general obligation bond option at a joint meeting with the Commissioners and the Council.

IN THE MATTER OF JE-TO LAKE

Mike Graham announced Je-To Lake successfully re-bid the dam reconstruction and the dredging of their lake and the revised bid is within their budget. However, the bid for the dam came in low and the lake dredging came

in high. The Je-To Lake grant manager, Amy Miller, asked OCRA if they could transfer some of the grant money for reconstruction of the dam to the dredging. OCRA said yes. The amount of the transfer is \$130,424.00. He explained the Commissioners need to make the request to OCRA to transfer these funds and presented a draft letter requesting the transfer. Commissioner Whetstone moved to approve the letter to OCRA requesting a transfer of funds for the Je-To Lake dam reconstruction project and allow the President to sign the letter on behalf of the Commissioners.

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

IN THE MATTER OF CIRTA

Mike Graham reported Auditor Cinda Kattau has provided a letter from Jeffrey D. Jackson, Executive Director of CIRTA, requesting Hendricks County’s estimated 2015 contribution at \$31,649 and stated she will take this to the next Council meeting on Thursday, July 10, 2014. John Ayers reported he has had no response from CIRTA on the recommendation of the Commissioners to fund CIRTA only \$17,000, however, he has only \$17,000 in his 2015 budget for CIRTA. There was discussion that Councilman Larry Hesson is the County’s representative on the CIRTA board and Bill Kirchoff is on CIRTA board representing the Town of Plainfield. It was the consensus of the Commissioners to add CIRTA funding to the agenda for the joint meeting of the Commissioners and Council.

IN THE MATTER OF SYCAMORE SERVICES

Mike Graham reported he had met with Pat Cockrum and Terry Kessinger with Sycamore Services regarding their desire to acquire the County property that Sycamore Services occupies. They did not like the idea of zeroing out an annual contribution from the County, but had some interest in proposing a reduction. They will present the idea of a reduced contribution at their August board meeting.

IN THE MATTER OF DRUG COURT

Receipt was acknowledged of an email from Catherine Haines, Court Administrator, sent on July 1, 2014 advising that Judge Smith is moving the Drug Court back to the Court House from the Work Release Facility effective July 2, 2014. He will hold court on the first and third Wednesday of each month and Drug Court participants will remain in the Court House until 5 PM on court dates. She was requesting one of the Court House deputies to remain after hours while the Drug Court was in session.

IN THE MATTER OF ANIMAL SHELTER

Mike Graham announced the Animal Shelter will have a golf outing on Wednesday, July 9, 2014 to raise funds for the shelter.

IN THE MATTER OF APPOINTMENTS

Mike Graham presented a spreadsheet of the Commissioners’ 2014 appointments to boards, committees and advisory groups for their review and comment.

IN THE MATTER OF ENGINEERING

John Ayers requested to post a job opening in the Engineering Department due to the upcoming retirement of Steve Maxwell, Highway and Bridge Project Manager. Commissioner Gentry moved to allow Mr. Ayers to advertise for the position requested. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXECUTIVE SESSION

Commissioner Palmer announced there would be 11:30 AM Executive Session this morning in the

Commissioners’ Office to discuss litigation pertaining to eminent domain.

Commissioner Palmer also announced there would be a Joint Executive Session on Tuesday July 15, 2014 at 7:30 AM with Commissioners and Council to discuss personnel.

IN THE MATTER OF WORKSHOP

Commissioner Palmer announced there would be a 2:00 PM Workshop to discuss Fleet Management today in Room #2.

IN THE MATTER OF CORRESPONDENCE

Commissioner Palmer acknowledged receipt of the following:

Correspondence:

- 1. Notice from the Indiana Department of Environmental Management (IDEM) Office of Water Quality, Facility Construction Section has received a sanitary sewer permit application on June 20, 2014, from Mr. Kenny Windler, RH of Indiana LPO, as required by IC 13-15-31. If approved by IDEM the permit would allow the applicant to construct a sanitary sewer for Woodcreek Crossing, Section 6, in Avon, Indiana.
- 2. IDEM letter of June 24, 2014 advising the application, plans and specifications, and supporting documents for the Elmwood West Wynne Farms permit application have been reviewed and processed in accordance under 327 IAC 3. They enclosed Construction Permit (Approval No. 21047), which applies to the construction of this proposed sanitary sewer system to be located along South Northfield Drive, approximately 1,200 feet east of the intersection with SR 267 near the Town of Brownsburg
- 3. Invitation to the retirement party of Director Wanda Pearson after 33 years of service with the Brownsburg Public Library. This will be held on Friday, August 1 from 4 to 8 PM in the Brownsburg Public Library at 450 South Jefferson Street in Brownsburg.

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 CYPRESS MANOR

Receipt was acknowledged of the Cypress Manor report for May 31 to June 28, 2014 from James McBryant, Cypress Manor Director.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for June 23 through July 4, 2014 from Ron Love, Human Resources Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for June 13 and June 20, 2014 from Curt Higginbotham, Highway Superintendent.

Commissioner Gentry moved to adjourn the Commissioners’ meeting at 10:40 AM. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

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Phyllis A. Palmer, President

Bob Gentry, Vice President

Matthew D. Whetstone, Member

ATTEST: _____
Judith Wyeth, Deputy Auditor