

August 26, 2014

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, August 26, 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
- Douglas Morris Hendricks County Systems Manager
- Kevin Cavanaugh Hendricks County Facilities Manager
- Jim Mardis Hendricks County Clean Water Director
- Ladonna Hughes Hendricks County Animal Control 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 Whetstone moved to approve the minutes of the August 12, 2014 meeting with changes as discussed. 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 #251175 thru 251199, #106909 thru 106952 and Direct Deposit #119497 thru 119960, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COOPERATIVE EXTENSION

Commissioner Palmer recognized several members of the Cooperative Extension in the audience and read the following proclamation for their 100<sup>th</sup> Birthday:

**P R O C L A M A T I O N**  
**HONORING THE 100<sup>TH</sup> BIRTHDAY**  
**COOPERATIVE EXTENSION**

*WHEREAS, The Federal Smith-Lever Act of May 8, 1914 created the national Extension Service, a state by state national network of educators who extend university based research and knowledge to the people. The Cooperative Extension Service celebrates their 100<sup>th</sup> Birthday in 2014. All 92 Indiana counties have a Purdue Extension office that is a resource for local residents.*

*WHEREAS, the Extension’s work includes: 1) providing research-based information that has helped farmers and ranchers establish the U.S. as a world leader in agriculture; 2) reaching millions of young people in 4-H programs; 3) lifting people out of poverty and preparing them for healthy, productive lives through educational programs; 4) providing assistance through rapid response during disasters and other emergencies such as floods, drought and outbreaks of infectious diseases; and 5) engaging with rural and urban leaders to foster community vitality.*

*WHEREAS, the 4-H Youth Development Educator and 4-H Leaders have been helping 4-H young people develop their leadership and life skills by “learn by doing”. The Health & Human Science Educator offers various educational programs for youth and adults that deal with literacy, nutrition and agriculture, financial literacy, healthy eating and e-learning for families in the area. The Agriculture Natural Resource Educator and the Master Gardeners are available to assist all residents with science based educational information in the areas of Agriculture and Horticulture.*

*WHEREAS, the Cooperative Extension started in 1914 with their motto, extending knowledge and changing lives. Extension pioneers will continue their mission stated in their motto.*

*WHEREAS, the past 100 years provide a strong foundation for Extension, they also are preparing for the next 100 years of relevant, university-based information to continue improving lives and communities in Hendricks County and across America.*

*THEREFORE, we, the Hendricks County Board of Commissioners, do hereby recognize, honor and congratulate the Purdue Cooperative Extension on their achievement of service to the residents of Hendricks County, the State of Indiana and across America for one hundred years.*

Signed this 26<sup>th</sup> day of August, 2014.

(SEAL)

(SIGNED)

Phyllis A., President  
Bob Gentry. Vice President  
Matthew D. Whetstone, Member

Commissioner Palmer presented the proclamation to Margaret Gladden of the Hendricks County Extension.

IN THE MATTER OF HENDRICKS COUNTY EXTENSION HOMEMAKERS

Commissioner Palmer stated she will be attending the upcoming Hendricks County extension Homemakers Banquet celebrating 100 years and will read the following proclamation at that time. She presented the proclamation to Judy Ricketts, a representative of the Hendricks County Extension Homemakers.

PROCLAMATION  
HONORING THE 100<sup>TH</sup> ANNIVERSARY  
HENDRICKS COUNTY EXTENSION HOMEMAKERS

WHEREAS, the Indiana Extension Homemakers (IEHA) started in 1913 as Home Economics Clubs developed to aid rural homemakers in increasing their skill levels on everyday tasks. In the early 1950s the names for these clubs changed to Home Demonstration Clubs. Finally, in 1966, Extension Homemakers became the accepted name and it has continued as such.

WHEREAS, the Home Economics program began in Hendricks County on March 12, 1914, when the Sugar Grove Club organized.

WHEREAS, in 1930 the Indiana Home Economics Association decided to adopt a creed. A statewide contest was held. The winning entry was written by Mrs. C.W. Horne of Danville in Hendricks County. The creed is recited at the beginning of each meeting. The creed is – “We believe in the present and its opportunities, in the future and its promises, in everything that makes life large and lovely, in the divine joy of living and helping others and so we endeavor to pass on to others that which has benefited us, striving to go onward and upward, reaching the pinnacle of economic perfection, in improving, enlarging, and endearing the greatest institution in the world, THE HOME.”

WHEREAS, Hendricks County Extension Homemakers has 195 members. The objectives of the organization are: 1) to coordinate and motivate the membership of the clubs in building educational programs which are relevant to the needs and interests of Hendricks County Extension Homemakers; 2) to study and work in programs and activities which pertain to the development of family, home and community; 3) to cooperate in programs which benefit people worldwide; and 4) to strengthen and develop the organizational leadership at the county, district, and state levels.

WHEREAS, the Hendricks County Extension Homemakers through their local clubs endorse, encourage and assist the 4-H program and other charitable organizations in Hendricks County.

WHEREAS, the Hendricks County Extension Homemakers have been actively engaged in promoting education, leadership development and volunteer community support at the local, state, national and international level since 1914.

THEREFORE, we, the Hendricks County Board of Commissioners, do hereby recognize, honor and congratulate the Hendricks County Extension Homemakers on their achievement of service to the residents of Hendricks County, the State of Indiana and across America for 100 years.

Signed this 26<sup>th</sup> day of August, 2014.

(SEAL)

(SIGNED)

Phyllis A. Palmer, President  
Bob Gentry, Vice President  
Matthew D. Whetstone, Member

IN THE MATTER OF LINK - GRANT

Pat Cockrum, Executive Director of Sycamore Services, presented the Federal Section 5311 Rural and Small Urban Transit Assistance Operating, Capital, Feasibility & Intercity Application Package for Calendar Year 2015, for LINK. He explained this will be for matching funds of \$700,000 Federal funding and \$300,000 State funding.

He reported they will provide over 102,000 rides with LINK this year and they are looking at extending hours of operations with this additional funding. Mr. Cockrum acknowledged they receive \$10,000 annually from the County to use towards the matching funds and clarified that rides are with Hendricks County residents and are within Hendricks County. Commissioner Gentry noted the Commissioners have recommended reducing the LINK funding to \$9,000 for 2015. Mr. Cockrum stated they are working well with Senior Services to provide and schedule these rides. Commissioner Gentry moved to approve the Operating, Capital, Feasibility & Intercity Application Package for Calendar Year 2015 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 presented Appendix E of the Application Package Authorizing Resolution, a resolution authorizing the filing of an application for a grant under Section 5311 as amended. Commissioner Whetstone moved to approve Authorizing Resolution for the Federal Transit Package as Resolution No. 2014-32 and allow the Auditor to sign on behalf of the Commissioners. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF ORDINANCE VIOLATIONS BUREAU

Greg Steuerwald advised he had met with Department Heads to discuss the Ordinance Establishing the Ordinance Violations Bureau and explained he would like to make some changes in this proposed ordinance. He requested to continue this ordinance to the next meeting and bring a recommendation at that time. It was the consensus of the Commissioners to continue the Ordinance Establishing the Ordinance Violations Bureau to the September 9, 2014 meeting.

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IN THE MATTER OF EXIT 59

Don Allen, Clayton, reported they are now installing the stop light at Exit 59 (SR 39 and I-70).

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IN THE MATTER OF B&O TRAIL

John Ayers presented the Title Sheet for Phase 3 of the B&O Trail project to execution. This is the section from SR 267 West to CR 575E and is scheduled to go to letting in December 2014.

John Ayers presented a Utility Reimbursement Agreement for the B&O Trail project, Phase 3, for relocation of a fiber optic line on Green Street (formerly SR 267). He explained the dollar amount of the relocation is \$20,665 and the B&O Trail Association will be paying for this relocation, not the County, but the Commissioners have to sign the agreement as the responsible party for the funding. There was discussion of the responsibility of funding of this project. Commissioner Whetstone moved to table this Utility Reimbursement Agreement with the B&O Trail Association until we receive a letter from the B&O Trail Association stating that they will cover the cost of this relocation project and provide an updated agreement on funding responsibilities. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF BRIDGE NO. 127

John Ayers reported Bridge No. 127, located at Amo, reopened last week.

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IN THE MATTER OF BRIDGE NO. 174 (CULVERT CL-033)

John Ayers announced Bridge No. 174 (Culvert CL-030), located on CR 400S, opened two weeks ago.

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IN THE MATTER OF CR 1050 AND CR 200N INTERSECTION

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John Ayers advised they have again closed the intersection of CR 1050 East and CR 200 North, but they hope to have it reopened the first week of September 2014.

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IN THE MATTER OF RACEWAY ROAD

John Ayers reported INDOT has announced a closure on Raceway Road over I-74 for bridge deck rehabilitation beginning September 2, 2014, for 90 days. He stated he knew nothing of this project in advance and it will affect our schedule for Culvert BR-037, which we currently have out for quotes.

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IN THE MATTER OF WAGE HEARING - COURT HOUSE

John Ayers stated a Wage Determination Hearing will be needed for the next phase of the Courthouse remodeling project, Phase 3B, which is currently out for bids. He noted the Wage Hearing has been scheduled for 4:30 PM on Monday, September 8, 2014.

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IN THE MATTER OF BROWNSBURG

John Ayers explained the Town of Brownsburg has requested the County quitclaim two parcels of right-of-way we acquired back in 1999 on CR 900 East. They have annexed adjacent to the right-of-way, but the Grants dedicated the right-of-way to the Board of Commissioners and they would like it to be in their name specifically. Mr. Ayers stated he doesn't think this action is necessary for Brownsburg to utilize public right-of-way, but we've done this for them before.

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IN THE MATTER OF CR 200 WEST

John Ayers clarified road/drainage issues with an owner of property on CR 200 West have now been resolved.

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IN THE MATTER OF RONALD REAGAN PARKWAY

Commissioner Whetstone announced they met with a mediator on August 20, 2014 and have reached an agreement with the Lacy Family on the final parcel for completion of the Ronald Reagan Parkway. There was discussion of some documents that were to be prepared. Commissioner Whetstone moved to approve the mediation agreement with the Lacy Family, finalizing the Ronald Reagan Parkway right-of-way, subject to Attorney Greg Steuerwald preparing the necessary documents. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

There was discussion about the payment to the Lacy Family on this parcel. Commissioner Whetstone moved to authorize payment for the mediation balance when Judgment is entered. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF GENERAL OBLIGATION BONDS

Mike Graham referenced the joint Commissioner and Council August 12, 2014 meeting relative to the agreement for the County to proceed with issuing general obligation bonds for the new radio and new antenna equipment for the Communications Center. He requested authorization to have Greg Guerrettaz, Financial Solutions Group (FSG), and Attorney Bruce Donaldson to prepare the bond documents. There is some urgency to get started as Motorola provides a \$200,000 discount if the equipment is purchased by December 1, 2014. Commissioner Gentry moved to approve the request for Mike Graham to authorize Greg Guerrettaz and Bruce Donaldson to begin preparing the necessary bond documents for the General Obligation Bonds for new equipment for the Communications Center. Commissioner Palmer seconded the motion. There was discussion of the fees for

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a previous bond.. Greg Steuerwald advised he will obtain a breakdown of the fees. There was discussion of doing this in two phases. Commissioner Palmer called for the question and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF RADIOS - COMMUNICATIONS

Mike Graham reported from 2003 thru 2005 the first responders received approximately 100 radios from a number of Homeland Security grants. The Emergency Management Department wrote the grants and the Commissioners signed them. With the Communications Center having to purchase new Motorola equipment, caused by the Indiana State Police purchase of a new radio system, there is an opportunity for the police and fire departments to upgrade some of their individual radios. He explained the new Motorola agreement for the Communications Center new radio equipment allows the police and fire departments to purchase new radios at half price provided they are purchased by December 1, 2014. The police and fire departments would like to trade in these old radios to reduce the cost of the new radios and these old radios have an approximate value of \$400 to \$500 each. Mr. Graham stated because the Commissioners signed the grants they will need to authorize the various police and fire departments to use the old radios for a trade in. Erica McDaniel, Grant Manager with the Indiana Department of Homeland Security, has provided an opinion that the current radios may be traded in at fair market value and requested the Commissioners provide their authorization to allow the radios to be traded in. There was discussion of the Motorola agreement, time frame and of the proposed trade-in of old radios. Commissioner Whetstone moved to allow our sister agencies to trade in radio equipment to capitalize on the discount towards new radios at their discretion and express support for exploring the possibility of buying all agencies radios before December 1, 2014 to save the 1.5 million and continue to look for funding for a group purchase. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF ANIMAL CONTROL ANIMAL SHELTER  
RESOLUTION NO. 2014-33

Mike Graham announced the Council approved the merger of the Animal Shelter and Control budgets, creating issues including a vacant position, the need to write a new job description, maybe a new kennel attendant and/or part-time attendant and a procedure to verify activities of the officers on call. He requested to table this discussion until they have more time to study these changes. It was consensus of the Commissioners to table the Animal Control staff and operating procedures.

Mike Graham explained the need to amend the resolution establishing the Animal Advisory Group, Resolution No. 10-05, as the current resolution calls for one of the members to be recommended to the Commissioners from the Hendricks County Humane Society, however, the Humane Society has determined they accomplished all their goals related to the Hendricks County Shelter and Control and no longer participate. Mr. Graham recommended amending the resolution to change the appointment to a representative from a rescue group and presented a draft of an amended resolution. Commissioner Gentry moved to adopt the Resolution Amending Resolution No. 10-05, A Resolution Establishing the Hendricks County Animal Control Advisory Group as Resolution No. 2014-33. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

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Mike Graham explained the Animal Control/Shelter has depleted their overtime funds. In 2014 the Shelter

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overtime budget was \$4,000 and Animal Control had \$7,000. On August 21, 2014 the Council approved an increase of \$2,000 after a request of \$6,000 additional appropriation. Currently, the Animal Control/Shelter Department has an approximate \$1,800 deficient in their overtime account. He stated as a part of the discussion he told the Council he would seek approval to transfer \$4,000 out of the donation fund to cover the overtime for the balance of 2014. Currently, the donation fund has about \$25,000. Commissioner Whetstone moved to transfer \$4,000 from the Animal Control donation fund to the Animal Control overtime line. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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IN THE MATTER OF MIKE AND ASHLEY DERRINGER

Mike Graham reported Mike & Ashley Derringer were the owners of the dog that was shot on July 25, 2014 by an Amo Police Department Officer and later put down at the Airport Animal Hospital. He presented a letter from the Derringer's regarding the incident. They ask for the performance of the Chief Animal Control Officer to be investigated and they seek reimbursement for the euthanasia charge of \$302.00. Mr. Derringer expressed his concerns about how this matter was handled. It was noted the Chief Animal Control Officer is no longer with the County. Mrs. Derringer acknowledged some responsibility because it was their dog that threatened the little girl, but felt the matter could have been handled differently. There was discussion of this incident. Commissioner Gentry moved for Mike Graham to talk with the Town of Amo to share the costs with the County for this vet bill. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0. The Commissioners requested Mr. Graham to keep in touch with Mr. and Mrs. Derringer on this matter.

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IN THE MATTER OF ENERGY SAVINGS – AMERESCO

Mike Graham reported staff has been working on the proposed energy savings agreement with Ameresco. The big item is if we fail to develop an energy savings project Ameresco will be entitled to a onetime \$35,000 payment. There is a lot of upfront engineering work done and if we don't pull the trigger on a project it covers some of their costs. If we do an energy savings project we do not pay the \$35,000. Greg Steuerwald explained and clarified the termination agreement in this contract. There was discussion that there is very little chance that we will not have an energy savings project. Commissioner Whetstone moved to approve the agreement with Ameresco for an energy savings study 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.

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IN THE MATTER OF CLAIM DUE DATES

Auditor Cinda Kattau advised they are looking at a new process and time line for accepting, paying and Commissioners approving claims. She presented and explained Ordinance No. 2011-27 listing 17 categories that are designated for pre-approval of pre-payment procedures for claims. Ms. Kattau gave the proposed 2015 pay dates for claims. There was discussion we would have to notify and clarify this change to our vendors. It was the consensus of the Commissioners to adopt the proposed 2015 pay dates for claims.

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IN THE MATTER OF USED VEHICLE

Mike Graham reported the Town of Stilesville has requested a used 2008 Ford Crown Vic in the Sheriff's fleet that has over 100,000 miles with a value of \$1,000. There was discussion of this vehicle. Attorney Greg

Steuerwald clarified that this could be donated to another entity. Commissioner Gentry moved to donate this 2008 Crown Vic to the Town of Stilesville, as requested. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF 2015 BUDGET

Auditor Cinda Kattau announced the Council will conduct a Budget Workshop beginning at 8:30 AM on Wednesday, September 3, 2014 in the Commissioners’ Meeting Room.

IN THE MATTER OF TORT CLAIM – HAILEYESUS

Receipt was acknowledged of a Tort Claim from Ken Nunn Law Office on behalf of Eskinder W. Haileyesus for incident of June 11, 2014 on East US Hwy 36 between CR 900E and Avon Village Pkwy within the Town of Avon. The claim has been scanned to Greg Steuerwald and John Parmley.

IN THE MATTER OF EXECUTIVE SESSION

The following memo was presented relative to the August 12, 2014 Joint Commissioners and Council Executive Session:

TO: File  
DATE: August 12, 2014

We hereby certify that the only matter discussed during the Joint Hendricks Board of Commissioners and the Hendricks County Council 3:00 PM Executive Session on this date, duly published by means of the posted Agenda, was the only item listed on said Agenda and no final action was taken.

Hendricks County Board of Commissioners	Hendricks County Council
Phyllis A. Palmer, President	Jay Puckett, President
Bob Gentry, Vice President	Brad Whicker, Vice President
Matthew D. Whetstone, Member	Myron Anderson, Member
	Caleb Brown, Member
	Larry Hesson, Member
	Nancy G. Johnson, Member
	Richard A. Thompson, Member

It was the consensus of the Commissioners to sign this memo to the file, as presented.

IN THE MATTER OF CORRESPONDENCE

Commissioner Palmer acknowledged receipt of the following:  
  
Correspondence:

1. Notice of August 16, 2014 from the Indiana Department of Environmental Management (IDEM) Office of Water Quality, Facility Construction Section has received a sanitary see permit application on August 12, 2014 from Mr. T. Lee Comer, Owner, as required by IC 13-15-3-1. If approved by IDEM, the permit would allow the application to construct a sanitary sewer for Minor Plat 83 Sanitary Sewer Improvements in Danville, Indiana.
2. Letter of August 14, 2014 giving notice that the Indiana Department of Environmental Management (IDEM), Office of Water Quality, Facility Construction Section has received a sanitary sewer permit application on August 7, 2014 from Greg Cornwell, Owner, Reserve of Woodland Hills, LLC, as required by IC 13-15-3-1. If approved by IDEM the permit would allow the applicant to construct a sanitary sewer for the Reserve at Woodland Hills II in Pittsboro, Indiana.
3. IDEM notice the application, plans and specification, and supporting documents for the Wal-Mart Supercenter No. 6476-00 have been reviewed and processed in accordance with rules which adopted under 3260UAC 3. They enclosed the Construction Permit (Approval No. 21104), which applies to the construction of the proposed sanitary sewer system to be located at the northwest corner of the intersection of US Highway 36 and CR 200 East in Danville, Indiana Hendricks County.
4. Notice of Public Hearing by the Plainfield Plan Commission to hold a Public Hearing at the Plainfield Municipal Building, located at 206 West Main Street, Plainfield, Indiana, on Thursday, September 4, 2014 at 7:00 p.m. on a Petition requesting primary plat approval for a maximum of 22 lots on 56.648 acres in Double Creek PUD. The property is located at approximately 3390 East Main Street, Plainfield, Indiana.

- 5. IDEM letter of August 20, 2014 advising the application plans and specifications, and supporting documents for the LaCabreah Apartment have been reviewed and processed in accordance with rules adopted under 327 IAC 3. They enclosed the Construction Approval (No. 21092) which applies to the construction of this proposed sanitary sewer system to be located along the north side of CR 300 North, approximately 1,390 feet east of the intersection of South Green Street and CR 300 North in Brownsburg, Indiana, Hendricks County.
- 6. Notice from Comer Law Office advising that the Brandex Corporation, successor entity by merger of Richard Bennett, Inc., has made application to the Danville Plan Commission to rezone from the current zoning designation of Office District to the General Business District certain property located in Section 11 and 1, Township 15 North, Range 1 West, Center Township, Hendricks County, Indiana. Said real estate is more commonly known as being located at 1285 E. Main Street, Danville, Indiana. The public hearing shall be held by the Danville Plan Commission at 7:00 PM on September 8, 2014 in the Council Chambers of the Danville Town Hall, 49 North Wayne Street, Danville, Indiana.

**Action needed/taken on the following:**

- 1. Checks received and signed to the county: \$ 300.00 Rokita Rent  
\$ 6,328.65 OB Services - Collision
- 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 July 27, to August 22, 2014 from James McBryant, Cypress Manor Director.

IN THE MATTER OF HUMAN RESOURCES

Receipt was acknowledged of the Human Resources report for August 11 through August 22, 2014 from Ron Love, Human Resources Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for July 21 to July 25, July 28 to August 1, August 4 to August 8, and August 11 to August 15, 2014 from Curt Higginbotham, Highway Superintendent.

IN THE MATTER OF WORK RELEASE

Receipt was acknowledged of the Hendricks County Community Corrections Annual Report for July 1, 2013 to June 30, 2014 from Bridgett M. Collins, Director.

Commissioner Whetstone moved to adjourn the Commissioners' meeting at 10:30 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