

September 9, 2014

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, September 9, 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
Lori Turpin		Hendricks County Veterans’ Service Director
Judith Wyeth		Secretary to the Commissioners

Commissioner Palmer determined a quorum and led the Pledge to the Flag in unison.

IN THE MATTER OF ORGANIZATION MAKING A DIFERENCE
HENDRICKS COUNTY VETERANS TRANSPORTATION NETWORK

Commissioner Palmer announced the Recognition Committee wanted to honor the Hendricks County Veterans Transportation network (HVTN) for the Organization/Business Making a Difference in Hendricks County Award.

Lori Turpin, Veterans Service Director, read the following:

Ms. Turpin stated prior to 2011, free transportation for veterans to Roudebush VA Medical Center was difficult, if not impossible to find. Historically the County Veterans Service Officers (CVSOs) in some counties have coordinated the Disabled American Veterans (DAV) sponsored “Veterans Transportation Network” at Roudebush VA Medical Center. The Disabled American Veterans provided a vehicle, gasoline and maintenance for a passenger van at no cost and local coordination was required. The Hendricks CVSO had never taken on this responsibility and was frequently at a loss on how to help veterans with transportation issues. Running a transportation service is not a requirement for the CVSO position and the manpower resources was not readily available. While Hendricks County does have a very robust LINK transportation service, in most cases, the LINK drivers were now allowed to take passengers out of the county due to a shortage of drivers.

Mr. George Brown, in particular, along with Jeff Ebarb, Bob Lemmon, Bob Humble and Billy Lee have taken responsibility for the HVTN. These gentlemen are all veterans, several from the Vietnam War. The Brownsburg American Legion Post 331 has generously provided volunteers and logistical support to comply with VA regulation. The driver approval process is a lengthy and complicated VA certification progression that sometimes hampers volunteer drivers from full participation in the program. Despite these roadblocks, the HVTN has more than responded to the transportation deficit to and from Hendricks County and Roudebush VA Medical Center. Most significantly in 2013, 667 passengers were transported, 1,131 volunteer hours donated and 17,278 miles were driven to support this program. As of August 1, 2014, there have been 58,000 miles driven by this vehicle. It is not a take home vehicle. Additionally, the HVTN makes efforts to transport veterans to a VA contractor in Fishers, Indiana for Compensation and Pension exams to the VA brand medical clinic at 38th Street/Interstate 465 and the Vet Center located on Naab Road, close to St. Vincent’s Hospital.

Ms. Turpin stated the Hendricks County Veterans Transportation Network has contributed an invaluable service to our community. In freely giving so generously of their time, the volunteer drivers demonstrate the highest level of compassion and concern for their fellow veterans and their families. She stated they have made her job much easier so that she doesn’t have to say there is “no help available”.

Commissioner Palmer presented a certificate to several veterans in attendance and thanked them for their service. She also explained a small plaque with “Hendricks County Veterans Transportation Network” would be placed on the large “Organizations Making a Difference” plaque in the Government Center. The Recognition Committee consists of Nancy Marsh, John Ayers, Mike Graham, Ron Love and Phyllis Palmer.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the minutes of the August, 26, 2014 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 #254665 thru 255634, #106953 thru 106993 and Direct Deposit #119961 thru 120425, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SENIOR SERVICES 5K RUN

Greg Nunnelly of Heartland Endurance Sports presented the proposed course for the Fall Classic Senior Services 5K Run. Marina Keers, Executive Director Senior Service, explained this run is to be held on Saturday, October 11, 2014. There was discussion the proposed course is primarily within the Town of Danville. It was the consensus of the Commissioners to approve the portion of the course that is in the County and to refer Mr. Nunnelly and Ms. Keers to the Danville Town Council for approval of the rest of the course.

IN THE MATTER OF DENNIS HALL

Dennis Hall, Crystal Springs, addressed the Commissioners and encouraged them to adopt a Noise Ordinance. He has an adjoining neighbor with a pool, large outdoor speakers and parties with many noisy guests until late at night that is very disturbing for long periods of time both day and night. He stated he and his neighbors have called the Sheriff's Department on numerous occasions, however, they have been informed they can do nothing about the noise as the County does not have a Noise Ordinance. The Commissioners explained they withdrew the Noise Ordinance as it was difficult to enforce and they would have to purchase special equipment. Greg Steuerwald explained they can take legal action as a Nuisance and stated he would provide the printed State Statute relative to noise. Commissioner Whetstone stated he will talk with the Communications Governing Board at their next meeting to determine if they could help in any way with this noise problem.

IN THE MATTER OF WORK RELEASE - GRANT

It was noted Bridgette Collins, Work Release Director, emailed Amendment #1 EDS #D25-14-023 for a Work Release grant. This amendment has two increases. A one-time performance bonus in the amount of \$6,907.62 and the base funding for the grant has been increased by \$8,464 making the total grant not to exceed \$965,571.62. The amendment needs to be approved and executed by the Commissioners. Commissioner Whetstone moved to approve and sign the Work Release Grant Amendment #1 EDS #D25-14-023, as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF DANVILLE HIGH SCHOOL HOMECOMING PARADE

Receipt was acknowledged of a phone call from a member of the Danville Community High School Student Council requesting to use the Government Center parking lots on Friday, October 3, 2014 for the lineup of their annual Homecoming Parade beginning at 4 PM. There was discussion they have lined up their parade at the Government Center for many years. It was the consensus of the Commissioners to approve the Danville Community High School request to line up their annual Homecoming Parade, beginning at 4:00 PM in the Hendricks County Government Center parking lots.

IN THE MATTER OF FEMA REIMBURSEMENT

John Ayers presented the FEMA grant reimbursement, for assistance to the Highway Department for our snow

removal in January 2014, to be executed by the Commissioners in the amount of \$100,779.30. Commissioner Gentry moved to approve and sign the FEMA grant reimbursement to Hendricks County in the amount of \$100,779.30. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF B&O TRAIL

John Ayers reported INDOT has moved the letting date for Phase 3 of the B&O Trail from December to Fiscal Year 2015, however, they have not confirmed a letting month, yet. He explained this is due to a new INDOT policy that the MPO can only use their allotted funds for a given fiscal year and can't carry anything over from previous years' allocations. They had counted on carrying over \$10,180,725 in addition to the FY 2015 allocation of \$2.5 million. The MPO is trying to work this out with INDOT to get the projects that were "bumped" put on the earliest possible letting in FY 2016, possibly July. He reported he has informed the B&O Trails Association. He went ahead and submitted the tracings and construction documents on schedule for a December letting and is going to still go through the selection of a CE consultant as he advised previously on the accelerated schedule for a December letting.

IN THE MATTER OF RONALD REAGAN PARKWAY

John Ayers requested to post the RFP for CE on the Ronald Reagan Parkway from CR 300N to US Hwy 136 to get contracts in place by December for a March letting schedule. He stated he has one ready to post on the INDOT website with a due date of October 10, 2014, if approved today. Commissioner Whetstone moved to approve posting the RFP for the Ronald Reagan Parkway from CR 300N to US Hwy 136, as requested by the County Engineer. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HIGHLAND SPRINGS

John Ayers reported the Planning Department has collected a bond for the developer of Highland Springs to pay for construction of sidewalks through the common areas of Section 2 that the developer did not provide. The amount was negotiated and is not enough to cover actual construction cost based on 3 quotes received. The Home Owners Association has agreed to contribute enough money to complete all the common areas in Section 2 and two locations in Section 3, if we add an extra \$1,000 to the bond amount. He noted a proposed Memorandum of Understanding (MOU) has been sent to Attorney Greg Steuerwald for review. There was discussion of the contractor not fulfilling his responsibilities and conditions of the sidewalks. Commissioner Gentry moved to approve the Engineer's recommendation and sign the MOU for the Highland Springs sidewalks. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF AVON AVENUE (OLD SR 267)

John Ayers announced they are planning to mill and repave part of our section of Avon Avenue (Old SR 267) from Avon's northern limits to Brownsburg's southern limits and Avon has asked us to include a portion of theirs from their town limits south to the end of the CR 100N intersection improvements, approximately an additional 2,000 feet. He stated once we get an estimated cost he will draft an Interlocal agreement and bring back for approval.

IN THE MATTER OF WAGE HEARING

John Ayers reported on a Common Construction Wage Hearing held on Monday, September 8, 2014 at 4:30 PM in the Government Center to consider wage scales for the Hendricks County Court House Renovation, Phase 3–B, with estimated cost of \$600,000, and Replacement of Bridge No. 53, located on CR 100N over Abner Creek, with an estimated cost of \$1,600,000. Mr. Ayers announced the AFL/CIO presented a wage scale and the ABC (Associated Builders and Contractors of Indiana) presented a wage scale. The Wage Committee voted to adopt the ABC wage scale for these two projects.

IN THE MATTER OF CULVERT BR-037

John Ayers reported they have received quotes for Culvert BR-037, located on Raceway Road, and the Engineering Staff will review and bring back a recommendation.

IN THE MATTER OF CULVERT INSPECTIONS

John Ayers advised United Consulting has started their inspections of County culverts.

IN THE MATTER OF BROWNSBURG

John Ayers presented two quit claims for two parcels, Dedication of Public Right-of-Way to Brownsburg for a thirty foot strip of real estate situated in Hendricks County, Indiana, commonly called N. County Road 900E and described in Instrument 19990028496 in the Office of the Hendricks County Recorder, Indiana. He also presented a Dedication of Public Right-of-Way for a thirty foot strip of real estate situated in Hendricks County, Indiana, commonly called “N County Road 900E and described in Instrument 19900028497 in the Office of the Hendricks County Recorder, Indiana. Commissioner Gentry moved to follow the Engineer’s recommendation and sign the two quit claims for right-of-way within the Town of Brownsburg. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF GOVERNMENT CENTER

Kevin Cavanaugh explained the chairs in the Government Center meeting room #4-5 need to be replaced. He suggested replacing 16 chairs in the meeting room and explained with a 57% discount the total replacement cost would be \$7,664.80. Commissioner Whetstone to approve the purchase of 16 new chairs for room #4-5 of the Government Center in the amount of \$7,664.80. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MAGISTRATE JUDGE - FURNISHINGS

Kevin Cavanaugh requested to purchase two office desks with filing and storage and one round meeting table for the Magistrate Judge Chambers only. He explained we would receive a 57% discount and these furnishings would cost \$5,987.55. He further explained this purchase could be funded from Cum Cap. Commissioner Whetstone moved to approve the purchase of furnishings for the Magistrate Judge Chambers in the amount of \$5,987.55. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF UTILITY TRAC BILL ENTRY AUTOMATION

Kevin Cavanaugh requested to add to the existing, budgeted services a Utility Trac Billing Entry Automation program. He explained this allows for direct entry of the County’s utility use / billing info to the current Utility Trac program that would help monitor the County's energy use. The initial set up fee will be \$300 with an

additional annual fee of \$1,260 for a total fee of \$2,830 annually. Mr. Cavanaugh stated this additional software could be funded from the utility line in his 2014 budget. There was discussion of tracking energy use in County buildings. Commissioner Whetstone moved to approve the purchase of the Utility Trac Bill Entry Automation, as requested, and to fund the \$2,830 annual fee from the utility line. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COURT HOUSE RENOVATION

Kevin Cavanaugh presented a revised bid schedule for the Court House renovation, Phase 3-B and advised the bid notification is now complete. They plan to receive bids for this renovation in the Commissioners' Meeting Room at 9 AM on September 23, 2014 and after reviewing the bids they plan to bring a recommendation to the Commissioners on October 14, 2014.

IN THE MATTER OF CAPITAL IMPROVEMENT PLAN

Mike Graham reported as a part of the County's Comprehensive Financial Plan and Sustainability Analysis the Hendricks County staff prepares a Capital Improvements Plan (CIP). Greg Guerrettaz, Financial Solutions Group, is of the opinion that the CIP is an important piece of information that the bond rating services want to review. At a bond rating conference call on September 2, 2014 with Standard & Poor their staff requested a copy of the current CIP. Current and previous CIP's have been used as a section within Comprehensive Financial Plan but not as a planning document by the Commissioners and/or the Council. He stated several years ago County Council Member Myron Anderson tried to convince the Council that a CIP is a good planning tool, but he was not successful. Mr. Graham explained Mr. Anderson had used a CIP when he was a member of the Danville Town Council. The CIP collects the various proposed expenditures of both capital and human resources from the department heads and assembles it in one document. The Commissioners and/or Council can then make a determination on the priority and /or the merit. He gave an example stating the current plan contains a recommendation for constructing a new \$60,000,000 jail and spending \$2,000,000 on improvements for Gibbs Park in 2018. Also, it projects spending \$5,750,000 on Gibbs Park in 2019. While these projects are listed in the CIP neither the Commissioners nor the Council have made any determination on the priority or the merit of these projects. The CIP has been treated as a "wish list" rather than a functioning capital improvements plan. Also, it does not appear the projected expenditures have had an impact on our bond ratings. He asked the Commissioners if they want to try and use the CIP as a planning document or to see it as being just another bureaucratic hurdle that does not need to be imposed on County government. Mr. Graham presented a copy of the 2014 CIP assembled for the financial plan.

Auditor Cinda Kattau explained the need for the County to have a Capital Improvements Plan (CIP). There was discussion of a Capital Improvement Plan and it was noted that Planning Director Don Reitz assembled the projects contained in the CIP. It was the consensus of the Commissioners to express their appreciation to Don Reitz for collecting the information and to request him to continue to work on this project.

IN THE MATTER OF ANIMAL CONTROL

Mike Graham reported Animal Control Interim Director, Ladonna Hughes is requesting for the Commissioners

to appoint Cherie Fox, with Misty Eyes rescue group in Brownsburg, to the Animal Advisory Group. He noted the Resolution Establishing the Hendricks County Animal Control Advisory Group was amended as Resolution No. 14-33 on August 26, 2014 to include a representative from a rescue group rather than a having a representative from the Humane Society. There was discussion of this appointment. It was the consensus of the Commissioners to appoint Cherie Fox to serve on the Hendricks County Animal Advisory Group as the representative from a rescue group.

Mike Graham stated he and Animal Control Interim Director LaDonna Hughes have talked about the organization of this department and the use of the money allocated for the previous position of the Chief Animal Control Officer. He stated they have also asked the Council to hold this position in the budget until a determination is made about hiring a new road officer or a kennel attendant. Mr. Graham recommended for the Commissioners to authorize the establishment of another kennel attendant position and to establish a second in command for the Animal Control department. However, he further explained, at this time, Ms. Hughes would like to not establish a deputy director position and manage the staff on her own with a total of 7 staff members reporting to her. Mr. Graham stated if there is a need to adjust the organizational structure we can do it later on. It was the consensus of the Commissioners to approve the recommendation of a three month trial with no second in command and to proceed to Council to hold the Chief Animal Control position in the budget and to hire a new road officer or a kennel attendant.

IN THE MATTER OF MIKE AND ASHLEY DERRINGER

Mike Graham reported he had a conversation with Christopher Nelson, Amo Town Marshall, about the dog of Mike & Ashley Derringer being shot. Mr. Nelson was the officer involved in this incident and he has expressed sympathy for the Derringer family and he is sorry about the action he had to take. It was an unfortunate situation but he did what was necessary at the time. Mr. Graham stated the Town of Amo will not be participating in any reimbursement to the Derringer family because they feel it would show some admission of an error. Their position is they did what was necessary at the time and there was no error in judgment. Commissioner Gentry moved to reimburse the Derringers for the expenses they incurred with euthanasia of their dog. Commissioner Whetstone seconded the motion. There was discussion that the dog was off of the owner’s property at the time of the incident. The motion was approved 2-1-0 with Commissioners Palmer and Whetstone voting aye and Commissioner Gentry voting nay.

IN THE MATTER OF TAX SALE

Auditor Cinda Kattau reported on the annual tax sale held on Friday, September 5, 2014 stating there were 61 parcels offered for sale and 32 were sold, however, there were 29 properties that did not sell. She explained the one year redemption process and reported there were some parcels that the towns may wish to pursue.

IN THE MATTER OF BENEFITS MEETING

Commissioner Whetstone requested to change the name of the Benefits Committee meeting to Joint Meeting. This would be with Commissioners and Council and they could discuss issues in addition to benefits. It was the

consensus of the Commissioners to discuss this at the next Benefits meeting.

IN THE MATTER OF TORT CLAIMS

Receipt was acknowledged of a Tort Claim from Robert A. Montgomery on behalf of the Estate of Lana Jo Ewig for incident of May 10, 2014 at the Danville Regional Rehabilitation Center. It was noted this claim has been scanned to Greg Steuerwald and John Parmley.

It was noted H, Michael Lively of One Beacon has emailed a denial letter to Richards, Boje, Pickering, Benner & Becker relative to the Tort Claim of Stanley Merritt for injuries sustained in accident of May 2, 2014 on SR 267.

IN THE MATTER OF MEETINGS

Commissioner Palmer announced there would be a Benefits Committee meeting with lunch in Room #3 at noon today.

Commissioner Palmer announced the 1 PM Employee Policy Manual Review scheduled for today in Room #2 has been POSTPONED.

IN THE MATTER OF CORRESPONDENCE

Commissioner Palmer acknowledged receipt of the following:

Correspondence:

- 1. IDEM Notice of Public Comment, for Maplehurst Bakeries, LLC, 063-340-00031, which has been placed in the Legal Advertising section of the local newspaper. The application and supporting documentation for this proposed permit have been placed at the Brownsburg Public Library, 450 South Jefferson Street, Brownsburg, Indiana.
- 2. August 18, 2014 letter from Hilliard Lyons relative to the Indiana Issuers of Municipal Bonds for the Securities and Exchange Commission (“SEC”) initiative in context of Hilliard Lyons Continuing Disclosure Cooperation (“MCDC”).
- 3. Bose, McKinney & Evans letter of August 27, 2014 relative to Securities and Exchange Commission’s Municipalities Continuing Disclosure Cooperation Initiative.

Action needed/taken on the following:

- | | |
|-----------------------------------------------------------------|------|
| 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 July 7 to August 22, 2014 from James McBryant, Cypress Manor Director.

IN THE MATTER OF HIGHWAY

Receipt was acknowledged of the weekly Highway report for August 18 to August 22, 2014 and August 25 to August 29, 2014 from Curt Higginbotham, Highway Superintendent..

Commissioner Gentry moved to adjourn the Commissioners’ meeting at 10:35 AM. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

Phyllis A. Palmer, President

Bob Gentry, Vice President

ATTEST: _____
Judith Wyeth, Deputy Auditor

Matthew D. Whetstone, Member