



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE NOVEMBER 24, 2020 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, November 24, 2020 in the Commissioners' Meeting Room located on the first floor of the Hendricks County Government Center at 355 S. Washington Street, Danville, IN 46122 with the following Hendricks County personnel in attendance:

Phyllis A. Palmer	Commissioner, President
Matthew D. Whetstone	Commissioner, Vice President
Bob Gentry	Commissioner
R. Todd McCormack	Executive Director
Mila M. Shaffer	Administration and Public Affairs
Graham Youngs	Attorney
Nancy Marsh	Auditor
Dave Wyeth	Councilman, President
Brett Clark	Sheriff
John Ayers	Engineer
Doug Morris	I.T. Director
Kevin Cavanaugh	Facilities Manager
Dave Gaston	Surveyor
Dawn Mason	Emergency Management Director
Nicole Lawson	Assessor
Kim Galloway	Assistant Engineer
Curt Higginbotham	Highway Department Supervisor
Eric Ivie	Parks and Recreation Assistant Superintendent
Erin Hughes	Human Resources Administrator (Appeared Telephonically)
Roger Call	Chief Deputy Sheriff (Appeared Telephonically)
Loren Delp	Prosecutor (Appeared Telephonically)
Shawn Shelley	Treasurer (Appeared Telephonically)
Joe Percy	Highway Department Assistant Superintendent (Appeared Telephonically)
Jarod Springman	Highway Department Asset Coordinator (Appeared Telephonically)
Tim Dombrosky	Planning Director (Appeared Telephonically)
Susan Bentley	Chief Probation Officer (Appeared Telephonically)
Megan Smith	Human Resources Assistant (Appeared Telephonically)
Terry Benton	Highway Department Office Manager (Appeared Telephonically)
Gary Sowers	Financial Admin./Drainage Board Coordinator
Beth Switzer	Extension Office CED/Health & Human Sciences Educator

PLEDGE TO THE FLAG, PRAYER, AND DETERMINATION OF A QUORUM

Commissioner Palmer opened the Meeting at 9:03 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison. Commissioner Gentry gave a brief prayer for those who wished to participate.

IN THE MATTER OF HURSEL DISNEY

Commissioner Palmer reported Hursel Disney, Commissioner for ten years and Councilman for eight years, passed away on November 22, 2020 and requested a moment of silence in his honor.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the Minutes of the November 10, 2020 Commissioners' Meeting as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Whetstone moved to approve Payroll Check Numbers 110513 through 110514, Direct Deposit Check Numbers 199698 through 200246, and all Budgetary Claims presented from the Auditor's Office for the period beginning November 12, 2020 and ending November 25, 2020 as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COVID-19 UPDATE

Dr. David Stopperich provided a brief update on the COVID-19 pandemic in Hendricks County and stated the County's 7-day positivity rate increased to 14.7%.

IN THE MATTER OF REVIEW OF HENDRICKS COUNTY GOVERNMENT COVID-19 POLICY

Commissioner Gentry moved to leave the Policy as is and review again at the December 8, 2020 Commissioners' Meeting. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Palmer reiterated the need for everyone to be vigilant about washing/sanitizing their hands, social distancing, and wearing masks. Commissioner Palmer and Dr. David Stopperich encouraged employees to follow the Policy and wear their mask while inside the building and inside their offices.

IN THE MATTER OF PROPOSED LEASE WITH LEADERSHIP HENDRICKS COUNTY

Graham Youngs presented the proposed Lease with Leadership Hendricks County and requested approval.

Commissioner Gentry moved to approve the Lease as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PROPOSED OFF-ROAD VEHICLE ORDINANCE

There was discussion amongst the Commissioners and Sheriff Clark regarding the amendments to the proposed ordinance and the exclusion of certain townships, certain roads, and/or establishing specific boundaries. Commissioner Whetstone advised the final language could be determined at a public hearing and stated he was satisfied with the current language in the draft presented.

Commissioner Whetstone moved to schedule a public hearing during the December 22, 2020 Commissioners' Meeting. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BID OPENING FOR CULVERT REPLACEMENT PROJECTS

Commissioner Palmer closed the bids at 9:06 AM for the culvert replacement projects. John Ayers opened and read the following bids:

CULVERT NO.	VENDOR	BID AMOUNT
GU-081	Clark Excavation	\$583,283.75
GU-081	Cobalt Civil	\$489,841.00
GU-081	Conexco, Inc.	\$533,070.74
GU-081	CRM Excavating	\$439,614.40
GU-081	Eagle Valley, Inc.	\$536,000.00
GU-081	H.I.S. Constructors, Inc.	\$509,204.85
GU-081	Morphey Construction	\$567,000.00
GU-081	Trisler Construction Co., Inc.	\$645,216.65
GU-081	White Construction	\$510,000.00

GU-095	Clark Excavation	\$477,598.00
GU-095	Cobalt Civil	\$358,776.50
GU-095	Conexco, Inc.	\$432,052.25
GU-095	CRM Excavating	\$322,538.30
GU-095	Eagle Valley, Inc.	\$498,000.00
GU-095	H.I.S. Constructors, Inc.	\$398,710.95
GU-095	Morphey Construction	\$383,000.00
GU-095	Trisler Construction Co., Inc.	\$587,243.90
GU-095	White Construction	\$400,000.00
LB-068	Clark Excavation	\$477,883.35
LB-068	Cobalt Civil	\$412,836.00
LB-068	Conexco, Inc.	\$440,382.08
LB-068	CRM Excavating	\$357,364.16
LB-068	Eagle Valley, Inc.	\$471,000.00
LB-068	H.I.S. Constructors, Inc.	\$398,483.75
LB-068	Keith Henderson, LLC.	\$449,348.06
LB-068	Morphey Construction	\$443,000.00
LB-068	White Construction	\$420,000.00
UN-013 and UN-014	Clark Excavation	\$780,636.00
UN-013 and UN-014	Cobalt Civil	\$630,861.60
UN-013 and UN-014	Conexco, Inc.	\$743,540.26
UN-013 and UN-014	CRM Excavating	\$567,996.10
UN-013 and UN-014	Eagle Valley, Inc.	\$677,000.00
UN-013 and UN-014	H.I.S. Constructors, Inc.	\$688,093.74
UN-013 and UN-014	Morphey Construction	\$699,000.00
UN-013 and UN-014	White Construction	\$665,000.00

John Ayers stated he would take the bids under advisement and present recommendations to the Commissioners on a later date.

IN THE MATTER OF BID OPENING FOR 2020 HIGHWAY DEPARTMENT PRODUCTS AND SUPPLIES

Commissioner Palmer closed the bids for 2021 Highway Department Products and Supplies at 9:06 AM. John Ayers proceeded to open and read aloud the names of vendors who submitted bids, the amounts for asphalt and fuel, and advised any individuals interested in reviewing the bids in full could proceed to Meeting Room 3 with Curt Higginbotham or contact the Engineering Department later. Full Bid information is on file in the Engineering Department.

VENDOR	PRODUCT(S)
Asphalt Materials	RS-2, AE-90, APME, and AE-PL
Harding Group	HMA Intermediate Type A F.O.B., HMA Surface Type A F.O.B., HMA Intermediate Type A Paver Laid, HMA Surface Type A Paver Laid, hourly rate per truck, hourly rate per 2 person flag crew straight time, and hourly rate per 2 person flag crew OT
Milestone	HMA Intermediate Type A F.O.B., HMA Surface Type A F.O.B., HMA Intermediate Type A Paver Laid, HMA Surface Type A Paver Laid, Cold Mix Surface 8 F.O.B., AE-60 AESP RS2, hourly rate per truck, and hourly rate per 2 person flag crew
Co-Alliance	E-10 Unleaded Reg., Premium Dieselelex 4, and 70/30 Blend
Petroleum Traders	87 Octane w/10% Ethanol, Premium Diesel 48+ Cetane, and Premium Diesel Winter Blend 70/30
CivilCon	Corrugated, HDPE, and Aluminized
Core & Main	HDPE
E3Bridge	Corrugated, HDPE, and Aluminized

Metal Culverts	Corrugated and HDPE
St. Regis	Corrugated and Aluminized
Hanson Aggregates	#2, #4, #12, #53, #73, Revetment Rip-Rap, and Crusher Run
Lincoln Park	#0, #1, #2, #2 Commercial Grade, #4, #5, #8, #8 Commercial Grade, #9, #9 Commercial Grade, #11, #11 Commercial Grade, #11 Double Wash, #12, #53, #53 Commercial Grade, #67, #73, Revetment Rip-Rap, Uniform Rip-Rap, and Clay Borrow
Martin Marietta	#2, #2 Commercial Grade, #4, #8 Commercial Grade, #9, #11, #11 Commercial Grade, #12, #53, #53 Commercial Grade, #67, #73, #73 Commercial Grade, Revetment Rip-Rap and Uniform Rip-Rap
US Aggregates (243 Quarry & Deer Creek)	#1, #2, #4, #5, #7, #8, #9, #11, #11 Double Wash, #53, #73, Revetment Rip-Rap, Uniform Rip-Rap, Shot Rock, and INDOT Snow & Ice Abrasive

John Ayers stated he would take the Bids under advisement and present recommendations to the Commissioners on a later date.

**IN THE MATTER OF REQUEST TO DECLARE PROSECUTOR'S OFFICE FURNITURE
OF NO VALUE**

Loren Delp presented a list and photos of office furniture from the Prosecutor's Office and requested the items be declared of no value and for them to be properly disposed of. Loren Delp reported the furniture was replaced with ergonomic furniture with the proceeds from an IPEP Safety Grant he received.

Commissioner Whetstone moved to declare the items of no value. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ZA 477/20: ANTHONY SHEPARD

Tim Dombrosky presented an ordinance to amend the zoning map of Hendricks County from NB/Neighborhood Business District to GB/General Business District, commonly known as ZA 477/20: Anthony Shepard, S9-T15N-R2W, Marion Township, 7 parcels totaling 2.3 acres, located at 6859 through 6949 W. US Highway 36 in Danville and recommended approval. Tim Dombrosky reported there were no remonstrators present and stated he did receive a remonstrance letter requesting the Plan Commission consider some special restrictions to limit use, but the remonstrator did not appear at the Meeting. Tim Dombrosky advised the Plan Commission approved this zoning amendment unanimously 6-0-0 during their November 10, 2020 Meeting, with no restrictions.

Commissioner Gentry moved to approve the Ordinance as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Ordinance No. 2020-46 to ZA 477/20: Anthony Shepard.

**IN THE MATTER OF AMENDMENT OF INTERLOCAL AGREEMENT WITH TOWN OF
PLAINFIELD FOR RELINQUISHMENT**

Graham Youngs presented an Amendment of Agreement between the County and the Town of Plainfield (TOP) to extend the Interlocal Agreement dated November 12, 2019 relinquishing the County's planning and zoning authority over parcel IDs 32-15-09-200-009.000-011 and 32-15-09-200-008.000-011 to the TOP until December 31, 2021 and requested approval. The current Agreement expires on December 31, 2020.

Commissioner Whetstone moved to approve the Amendment as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF 2021 COMMISSIONERS' MEETING SCHEDULE

Mila Shaffer presented the proposed 2021 Commissioners' Meeting Schedule and requested approval. Meetings will remain at 9:00 AM on the second and fourth Tuesday of each month.

Commissioner Gentry moved to approve the Schedule as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REQUEST TO DECLARE ANIMAL CONTROL TRAILER OF NO VALUE

Kevin Cavanaugh presented photos of the old Animal Control horse trailer and requested it be declared of no value and properly disposed of. Kevin Cavanaugh stated the trailer is rusted through and is unsafe.

Commissioner Gentry moved to declare the trailer of no value as requested. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

**IN THE MATTER OF NEW JAIL AND SHERIFF'S OFFICE PHASE 2
GUARANTEED MAXIMUM PRICE EXHIBIT**

Kevin Cavanaugh presented the new Jail and Sheriff's Office Phase 2 Maximum Price Exhibit in the amount of \$57,773,317.00 and requested approval. Kevin Cavanaugh reported the total cost of the project (including contingencies, finance costs, and road construction) is estimated to be \$73,000,000.00. Kevin Cavanaugh advised the County has spent \$6,500,000.00 of the \$73,000,000.00 thus far, and recommended it not be included in the bond amount.

Commissioner Whetstone advised the Exhibit is needed for the County to proceed with the bond process.

Commissioner Whetstone moved to approve the Exhibit as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

**IN THE MATTER OF COMMITMENT PAYMENTS TO SUBCONTRACTORS
FOR NEW JAIL AND SHERIFF'S OFFICE**

Kevin Cavanaugh requested approval to allow commitment payments up to \$1,000,000.00 to subcontractors for the new Jail and Sheriff's Office from the LIT fund.

Commissioner Whetstone moved to approve the payments as requested. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIDGE NO. 237 CONSULTING CONTRACT

John Ayers presented the Bridge No. 237 Consulting Contract with DLZ Indiana in the amount of \$289,700.00 and recommended approval.

Commissioner Whetstone moved to approve the Contract as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RIGHT-OF-WAY ACQUISITION FOR CR 900 EAST DRAINAGE PROJECT

John Ayers presented the Proposal from Beam, Longest and Neff, LLC in the amount of \$95,880.00 for the right-of-way acquisition services for the CR 900 East Drainage Project and recommended approval.

Commissioner Whetstone moved to approve the Proposal as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ELECTED OFFICIALS

Sheriff Clark reported there are fifteen active COVID-19 cases amongst the inmates, a few positive employee cases, and a few awaiting results. Positive inmates are being isolated to try and stop the spread and he is working with the Health Department. Sheriff Clark stated the positivity amongst employees is from actions outside of work; i.e. attending parties, weddings, sporting events, etc.

Sheriff Clark advised he visited the area of Merlin Martin's petitioned vacation on County Road 450 East and stated it is a very rural area and closing it will be an inconvenience for the residents and is okay with the

Commissioners deciding either way.

Sheriff Clark requested the Commissioners speak with the Town of Danville in regard to them considering a roundabout in front of the Jail and Hendricks Regional Health as traffic is congested at the intersection with no clear direction for traffic flow. Todd McCormack advised he would bring it up during a Town Manager Meeting.

Sheriff Clark reported the Danville Community High School football team plays in the championship game on Saturday along with Covenant Christian and wished them luck as they head to state.

Nancy Marsh presented the Incumbency Certificate from BNY Mellon authorizing herself and Tami Mitchell as authorized persons to provide bond direction/confirmation, callbacks, and execute required documents on behalf of the Commissioners and requested approval.

Commissioner Whetstone moved to designate Nancy Marsh and Tami Mitchell as authorized persons for the Commissioners as requested. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Council President Wyeth reported Dick Thompson, former Councilman, is hospitalized with COVID-19 and not doing well.

IN THE MATTER OF COUNTY ROAD 1000 NORTH LETTER OF SUPPORT

John Ayers presented a Letter of Support for the County's federal aid application for the reconstruction and widening of County Road 1000 North and recommended approval.

Commissioner Whetstone moved to approve the Letter as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF NEW JAIL AND SHERIFF'S OFFICE

Kevin Cavanaugh reported that based upon the last round of negotiations with the Town of Danville, the Town has agreed to split the costs 50/50 with the County and are drafting a Memorandum of Understanding. The County will pay a total of \$128,815.00.

IN THE MATTER OR RELOCATING CLEAN WATER OFFICE

Commissioner Palmer inquired the status of relocating the Clean Water Office.

Kevin Cavanaugh advised he has not had the chance to work on it and will get to it as soon as he can.

IN THE MATTER OF NOTIFICATION OF POSITIVE EMPLOYEE COVID-19 CASES AND POSSIBLE WORK FROM HOME POLICY

Todd McCormack reported there have been requests from employees for the County to send out notification of positive employee COVID-19 cases and advised several responses were received from Department Heads/Elected Officials regarding a possible work from home policy. Todd McCormack advised it was a mixture for and against working from home and inquired if the Commissioners would like him to draft a policy for consideration. Most responses requested the policy be generic in nature to leave it up to the discretion of the Department Head/Elected Official to determine if it does or does not work for their department/office.

Todd McCormack stated employees are requesting to be notified of positive cases to be informed as they are concerned and worried for their health and safety and of their families. Todd McCormack advised he does not think sending out notifications as to what department/office has a positive case would be possible as the process of elimination would pinpoint the exact employee and isn't sure if sending out the number of cases would add to employee anxiety or not.

Commissioner Palmer stated she can understand where the employee concerns are coming from and perhaps

sending out notifications would drive home the severity and importance of wearing a mask, washing your hands, and social distancing and would personally want to know if it were her.

Commissioner Palmer advised the responses to the possible work from home policy were interesting and seemed to be based around another COVID shutdown and not a long-term policy in general and would be impossible for some to implement.

Todd McCormack advised his concerns are the County experiencing staff shortages due to positive cases and exposures as the hospitals are experiencing and implementing a work from home policy would allow the buildings to remain “open” while limiting the exposure instead of closing down again. Todd McCormack stated he would rather be prepared to act than be forced to respond due to a crisis.

Commissioner Gentry stated the accountability and responsibility needs to be with the Department Head/Elected Official and any policy by the Commissioners should be very brief and broad in nature.

It was the consensus of the Commissioners for Todd McCormack to work with Doug Morris to draft a policy for consideration.

It was the consensus that Department Heads/Elected Officials should be notifying their employees of positive exposures within their department/office and contact tracing would assist as well. Dawn Mason advised EMA takes care of first responder cases and reports back to the state and that the Health Department takes care of medical personnel (hospitals, long-term care, nursing homes).

Nancy Marsh stated we stand side-by-side with employees that tested positive or have been directly exposed and employees should be notified instead of guessing. Nancy Marsh stated that in her opinion, the County is not contact tracing very well and feels we have a responsibility to notify employees.

It was the consensus of the Commissioners to have Erin Hughes and counsel determine what we can and cannot do to notify employees.

IN THE MATTER OF SURVEYOR’S REQUEST FOR ADDITIONAL CELL PHONES

Doug Morris reported the Surveyor’s Office has requested three additional cell phones for their office, one for the added Drainage Inspector and two for office staff, and requested guidance on how to proceed with the request for phones for the office staff as this is not a normal request.

Commissioner Palmer agreed with Doug Morris and does not want to set a precedence by approving phones for office staff and stated lots of others would begin requesting them if approved.

Dave Gaston requested the matter be continued to allow time for him to consult with Doug Morris about masking numbers when calling from a personal device.

IN THE MATTER OF COMMENTS FROM THE FLOOR

No matters presented.

IN THE MATTER OF COMMISSIONERS

Commissioner Whetstone requested Mila Shaffer place the expiring appointment of Jack Maloney to the Drainage Board on the Agenda with the other expiring appointments.

Commissioner Palmer proudly reported her grandson was nominated for the US Air Force Academy.

Jay Thompson, Pittsboro Town Councilman, expressed his appreciation to the deputies that provided traffic control at the Brownsburg Fire Territory building during the election.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

CHECKS RECEIVED

- | | | | |
|---------------------|---------------------------------------|----------------------|-------------------------------|
| 1. \$720.00 Per Lot | M/I Homes of Indiana, LP | Multiple Lots | |
| 2. \$4,507.70 | American Access Casualty | Claim No. 2010295059 | Sheriff's Department |
| 3. \$3,000.00 | Avon Community School Corporation | | Proceeds from Sale of Vehicle |
| 4. \$2,500.00 | Danville Community School Corporation | | Proceeds from Sale of Vehicle |

STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the Engineering Department Report of November 24, 2020 from John Ayers.
2. Receipt was acknowledged for the Facilities Dept. Report of November 24, 2020 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of Nov. 24, 2020 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of November 24, 2020 from Doug Morris.
5. Receipt was acknowledged for the HR Report of November 7, 2020 – November 20, 2020 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of November 2, 2020 – November 6, 2020 and November 9, 2020 – November 13, 2020 from Curt Higginbotham.
7. Receipt was acknowledged for the Emergency Management Report of November 7, 2020 – November 20, 2020 from Dawn Mason.
8. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period of October 1, 2020 through October 31, 2020 from Tim Dombrosky.
9. Receipt was acknowledged for the Parks & Recreation Report of November 20, 2020 from Ryan Lemley.

CORRESPONDENCES RECEIVED

1. Recommendation Letter for Reappointment from Hendricks Regional Health Board of Trustees.
2. Notice of Claim from Ken Nunn Law Office, representing Robert T. Adams and Shelley S. Adams.

IN THE MATTER OF ADJOURNMENT

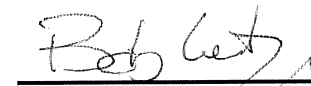
Commissioner Whetstone moved to adjourn the Hendricks County Commissioners' Meeting at 11:11 AM on Tuesday, November 24, 2020. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.



Phyllis A. Palmer, President



Matthew D. Whetstone, Vice President



Bob Gentry, Member