



## **HENDRICKS COUNTY BOARD OF COMMISSIONERS**

### **MINUTES OF THE JULY 13, 2021 MEETING**

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, July 13, 2021 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
Bob Gentry	Commissioner, Vice President
Dennis W. Dawes	Commissioner
R. Todd McCormack	Executive Director
Mila M. Shaffer	Administration and Public Affairs
Greg Steuerwald	Attorney
David Cox	Councilman
Kim Galloway	Assistant Engineer
Doug Morris	I.T. Director
Erin Hughes	Human Resources Administrator
Tim Dombrosky	Planning & Building Director
Kevin Cavanaugh	Facilities Manager
Dawn Mason	Emergency Management Director
Bart Harvey	Highway & Bridge Project Manager
Jeremy Gooch	Chief Public Defender
Ryan Lemley	Parks & Recreation Superintendent
Brett Clark	Sheriff (Attended Remotely)
Loren Delp	Prosecutor (Attended Remotely)
Bridgette Collins-George	Work Release Director (Attended Remotely)
Susan Bentley	Chief Probation Officer (Attended Remotely)
Curt Higginbotham	Highway Department Superintendent (Attended Remotely)
Joe Percy	Highway Department Assistant Superintendent (Attended Remotely)
Terry Benton	Highway Department Office Manager (Attended Remotely)
Krista Click	Environment Health Director (Attended Remotely)

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

Commissioner Palmer opened the Meeting at 9:12 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison. Greg Steuerwald gave a brief prayer for those who wished to participate.

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#### **IN THE MATTER OF MINUTES**

Commissioner Dawes moved to approve the Minutes of the June 22, 2021 Commissioners' Meeting and of the June 22, 2021 Commissioners' Executive Session as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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#### **IN THE MATTER OF RECOGNIZING AN ORGANIZATION MAKING A DIFFERENCE IN HENDRICKS COUNTY**

Commissioner Palmer presented the Hendricks County 4-H Fairgrounds & Conference Complex representatives, Steve Patterson and Chris Feuquay, with the "Recognizing an Organization Making a Difference in Hendricks County" certificate and thanked them for their outstanding cooperation and support they provided to the County and to Hendricks Regional Health during the COVID-19 vaccination clinic. Dr. David Stopperich expressed his appreciation as well.

## IN THE MATTER OF PROPOSALS FOR COPIERS AND PRINTERS

Doug Morris reported the Proposals for copiers and printers have been reviewed and recommended proceeding with Konica Minolta Business Systems as the most responsive and responsible vendor.

Commissioner Gentry moved to proceed with Konica as recommended. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

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## IN THE MATTER OF IWORQ SERVICE AGREEMENT FOR DIGITAL PERMITTING

Tim Dombrosky presented the iWorQ Systems, Inc. Service Agreement for \$18,200.00 to implement digital permitting in Planning & Building and requested approval, retroactive to June 25, 2021.

Commissioner Gentry moved to retroactively approve the Agreement as requested. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

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## IN THE MATTER OF HENDRICKS COUNTY VEHICLE POLICY REVIEW

Commissioner Palmer reported the Commissioners are continuing their review of the County Vehicle Policy and advised it is a work in progress.

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## IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Direct Deposit Check Numbers 208392-208914 and Budgetary Claims presented from the Auditor's Office for the period beginning June 24, 2021 and ending July 14, 2021 as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

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## IN THE MATTER OF BID OPENING FOR BRIDGE NOS. 16, 21, AND 22

Commissioner Palmer closed the bids for Bridge No. 16 at 9:22 AM. Kim Galloway opened and read the following bids:

VENDOR	BID AMOUNT
Duncan Robertson	\$197,306.10
H.I.S. Constructors, Inc.	\$166,822.00
Keith Henderson, LLC.	\$169,054.34
Pontem Contractors, Inc.	\$258,964.00

Kim Galloway stated they would take the bids under advisement and present a recommendation on a later date.

Commissioner Palmer closed the bids for Bridge Nos. 21 and 22 at 9:25 AM. Kim Galloway opened and read the following bids:

VENDOR	BRIDGE NO. 21 BID AMOUNT	BRIDGE NO. 22 BID AMOUNT
Duncan Robertson	\$250,895.50	\$207,454.30
H.I.S. Constructors, Inc.	\$336,949.50	\$269,864.50
Pontem Contractors, Inc.	\$295,000.00	\$590,000.00

Kim Galloway stated the bridges would be awarded together, as one project, to the same vendor and advised they would take the bids under advisement and present a recommendation on a later date.

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## IN THE MATTER OF KOREAN WAR AND WWII PROCLAMATIONS

Rhonda Beck, representative from the DAR Wa-Pe-Ke-Way Chapter, presented the Korean War Veterans Proclamation to proclaim July 27, 2021 as "Korean War Veterans Day" in Hendricks County and the World War II Veterans Proclamation to proclaim August 15, 2021 as "World War II Veterans Day" in Hendricks County and requested approval.

It was the consensus of the Commissioners to approve the Proclamations as presented. Commissioner Palmer thanked Rhonda Beck for all she does to ensure the County's Veterans are acknowledged and honored.

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### **IN THE MATTER OF AMATEUR RADIO WEEK PROCLAMATION**

Commissioner Palmer reported Commissioner Gentry presented the Amateur Radio Week Proclamation to proclaim the week of June 27, 2021 as "Amateur Radio Week" in Hendricks County after the June 22, 2021 Commissioners' Meeting and requested approval retroactive to that date.

Commissioner Gentry moved to approve the retroactive Proclamation as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

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### **IN THE MATTER OF DOWNTOWN DANVILLE PARTNERSHIP ART PROJECT**

Anne Johannson, Downtown Danville Partnership Executive Director, reported the Partnership is collaborating with Creative Community Pathways for Danville to become recognized by the state as a cultural district and requested permission to paint the utility connection box outside the south side of the Courthouse as part of their art enhancement project. Anne Johannson advised the project will be paid for and maintained by the Partnership and stated the artist painting the box would be Mary McCartney-Jones.

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

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### **IN THE MATTER OF SECTION 5307 FUNDING TRANSITION**

Commissioner Palmer reported the County's Section 5311 funding for public transportation is being transitioned to Section 5307 funding and requested Todd McCormack elaborate on the matter further.

Todd McCormack advised that based primarily on census data and projections, Hendricks County has been designated an urban county for purposes of federal funding for public transportation. Urban federal funding is now being administered through the MPO, to IndyGo as the passthrough, out to other public entities as the subrecipients, and then out to the procured service provider. Previously, the County was designated a rural county and the funding was administered through INDOT, to the public entities as the passthrough, and then out to the service provider as the subrecipient. Todd McCormack stated no procurement was required and the County was pretty much hands off in the process, placing the majority of the work on the service provider. The biggest impact to the County is the County will be required to provide a fifty percent (50%) financial match to any Section 5307 funding for public transportation received, where the County did not provide any match before. The County is projected to receive up to \$300,000.00 but will have to match it dollar for dollar to be eligible. Todd McCormack advised the County does not have a designated funding source to generate the match.

Todd McCormack reported the MPO made the selection confirming the County's designation as urban, selected the funding scenario that maximized the overall amount of federal funding for the MPO area (Marion County, Hamilton County, Hancock County, Hendricks/Morgan County, and Johnson County) based upon their consultant's recommendation, and stated there appears to be no way around this or a way to challenge it if the County wants to receive the federal funding for public transportation. Todd McCormack advised the Commissioners have three options:

1. Accept becoming the subrecipient and create an Interlocal Agreement with the Towns for them to contribute financially towards the required fifty percent (50%) match. The Town of Plainfield currently has a transportation tax in place.
2. Decline becoming the subrecipient, eliminating the public transportation services, negatively impacting the most vulnerable population who need the service to commute to and from medical appointments.
3. Have one of the Towns become the subrecipient, instead of the County, but that would put one Town responsible for directing the public transportation funding for the entire County.

Todd McCormack recommended the Commissioners choose becoming the subrecipient or having one of the Towns become it to avoid placing a burden on the most vulnerable population.

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Ryan Wilhite, Manager of Special Projects and Regional Mobility for IndyGo, stated Todd McCormack's summary of the transition was accurate and advised that as of January 1, 2022, INDOT will no longer provide Section 5311 funding to the County and advised IndyGo and their consultant, RLS & Associates, would assist the County through the transition. Ryan Wilhite requested the Commissioners make a decision regarding the acceptance of becoming the subrecipient sooner rather than later.

Commissioner Palmer thanked Todd McCormack for his analogy of the transition.

There was discussion amongst the Commissioners, Todd McCormack, Ryan Wilhite, Pat Cockrum (CEO of Sycamore Services), and Marina Keers (Executive Director or Senior Services) regarding the transition. The Commissioners expressed their concerns of possible service interruptions due to the process, coming up with the \$300,000.00 for the match, and the possible change in service providers. The Commissioners stated they felt the County should be the public entity that becomes the subrecipient. Todd McCormack stated he spoke with Nancy Marsh and had Ryan Wilhite and IndyGo's consultant speak with her as well and advised Nancy Marsh has been kept abreast of the situation and will work with her staff to help in the transition.

Commissioner Dawes moved for the County to accept becoming the subrecipient of the Section 5307 funding through the Auditor's Office. Commissioner Gentry seconded the motion and the motion was approved unanimously.

Ryan Wilhite advised he would be in contact with Todd McCormack to work out the details for the paperwork and to begin the process.

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**IN THE MATTER OF BRIDGE NO. 84 SUPPLEMENTAL AGREEMENT NO. 2**

Kim Galloway presented the Bridge No. 84 Supplemental Agreement No. 2 for Engineering Services from DLZ Indiana for \$9,000.00 and requested approval.

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

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**IN THE MATTER OF CULVERT LB-075 AGREEMENT FOR ENGINEERING SERVICES**

Kim Galloway presented the Culvert LB-075 Agreement for Engineering Services from Eagle Ridge Civil Engineering Services for \$39,000.00 and requested approval.

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

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**IN THE MATTER OF UNOFFICIAL LOCAL DETOURS FOR INDOT PROJECTS**

Kim Galloway presented an Unofficial Local Detour Letter of Understanding for SR 236 and for SR 75 for INDOT projects and requested approval. INDOT will close portions of each road, detouring traffic onto County roads, and will reimburse the County for any repairs needed due to the increased traffic.

Commissioner Dawes moved to approve the Letter for SR 236 as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Gentry moved to approve the Letter for SR 75 as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF WESTPOINT BUILDING II GUARDRAIL MAINTENANCE AGREEMENT**

Kim Galloway presented the Guardrail Maintenance Agreement with Westpoint Building II for the maintenance of a section of guardrail near the southern edge of Westpoint Boulevard and requested approval. Westpoint had to place their guardrail in the County's right-of-way and is responsible for the maintenance of it.

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

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#### **IN THE MATTER OF ELECTED OFFICIALS**

Councilman Cox thanked the Commissioners for the support of Senior Services and Sycamore Services. Councilman Cox advised he and two other Council members volunteer to serve on a needs and/or space assessment committee should the Commissioners choose to form one.

Commissioner Palmer advised there has not been any discussion about any committees and stated the Commissioners rely mostly on their staff. Commissioner Palmer stated she appreciated his willingness.

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#### **IN THE MATTER OF RIDGEHILL WAY COMPLAINT**

Kim Galloway reported Keith Henderson quoted \$2,740.00 to replace the curb area in question for a Ridgehill Way resident and requested guidance on how to proceed.

There was discussion amongst the Commissioners, Kim Galloway, and Curt Higginbotham regarding the matter. Curt Higginbotham advised it is an aesthetics issue and not a functionality issue and if the County pays to replace one curb area, they will be setting a precedent, as this has not been something the County has paid for in the past.

The Commissioners expressed their concerns of setting the precedent and it was the consensus of the Commissioners to take no action.

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#### **IN THE MATTER OF CR 900 E./CR 100 N. DRAINAGE PROJECT**

Kim Galloway reported quotes for tree removal to facilitate utility relocation along CR 900 E. north of CR 100 N. for the pending drainage project were received from Artistic Touch Tree Service and Ray Collier Logging and requested approval to proceed with the \$10,050.00 quote from Artistic Touch as the lowest responsive and responsible vendor.

Commissioner Gentry moved to approve proceed with Artistic Touch as requested. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

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#### **IN THE MATTER OF NEW JAIL AND SHERIFF'S OFFICE**

Kevin Cavanaugh reported the roofing insulation delay has reached a critical juncture and alternative roofing systems are being considered in order to maintain progress on the project. Kevin Cavanaugh advised there will be a cost factor but should be able to accommodate the increase with existing contingency allowances.

Kevin Cavanaugh presented the proposed commemorative plaque to be displayed inside the new building and requested approval to proceed with ordering.

There was discussion amongst the Commissioners, Greg Steuerwald, Sheriff Clark, and Kevin Cavanaugh regarding the matter and plaques for past buildings.

It was the consensus of the Commissioners to proceed with the plaque as presented, with the addition of Greg Steuerwald's name as the County Attorney.

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#### **IN THE MATTER OF OFFICE SPACE FOR PROBATION AND CHIEF PUBLIC DEFENDER**

Kevin Cavanaugh reported he met with Susan Bentley to discuss relocating the Probation staff from the Work Release Facility and advised the Town of Danville has space inside the Town Hall building and requested permission to proceed with drafting a lease to secure the space as a temporary solution.

It was the consensus of the Commissioners to approve drafting the lease as requested.

Kevin Cavanaugh reported he has found space to lease for the Chief Public Defender (PD) at 56 W. Main Street and requested permission to proceed with drafting the lease.

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There was discussion amongst the Commissioners, Kevin Cavanaugh, and Jeremy Gooch regarding the matter and Jeremy Gooch advised the PD is eligible for forty percent (40%) reimbursement from the State for the lease and modification of the space.

It was the consensus of the Commissioners to approve drafting the lease as requested.

Mila Shaffer inquired where the funds would come from to pay for the lease and modifications of the spaces and advised there is not enough in the Commissioners' line item to cover them. Mila Shaffer reported an additional appropriation request would need to be presented to the Council if it is to be paid from this line item as well as adjusting the 2022 Budget request. Commissioner Palmer and Kevin Cavanaugh stated this was a good question.

There was discussion amongst the Commissioners, Mila Shaffer, and Kevin Cavanaugh regarding the funding matter. Kevin Cavanaugh advised he may have funds he may be able transfer to cover the move in modifications but does not believe that would be able to cover all the 2021 monthly lease costs.

It was the consensus of the Commissioners for Kevin Cavanaugh to calculate the amount needed to cover the modifications and the 2021 lease costs so a request for an additional appropriation can be made to the Council. Commissioner Palmer advised the Commissioners would request their 2022 Budget be adjusted to cover the 2022 lease costs during their upcoming Budget Hearing.

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#### **IN THE MATTER OF B&O TRAIL FINANCIAL ASSISTANCE REQUEST**

Todd McCormack reported correspondence was received from Jeff Smallwood, B&O Trail Association President, regarding their request for \$5,000.00 from the County for accessories and installation of a crossing signal and inquired how the Commissioners would like to proceed.

There was discussion amongst the Commissioners regarding the matter. Commissioner Gentry advised he would be willing to contribute no more than half the requested amount and stated lots of his constituents are against the trails altogether. Commissioner Dawes advised he is very familiar with the proposed location of the signal in Brownsburg and does not currently support the concept of a signal at this time and feels the current signage is appropriate for the amount of traffic. Commissioner Palmer advised the County is constantly asked for contributions and help from not-for-profits and really try to be as consistent as possible. Commissioner Palmer stated she agrees with Commissioner Gentry and does not have a problem with contributing some but is against using money from the General Fund and recommended the matter be put on hold.

It was the consensus of the Commissioners to hold off as they do not feel the traffic amount warrants it at this point in time. Commissioner Dawes stated he would contact Jeff Smallwood and let him know.

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#### **IN THE MATTER OF VETERANS SERVICE OFFICER**

Todd McCormack reported Lori Turpin discussed the need to hire a new full-time Veterans Service Officer to replace her during her performance evaluation, preferably by the middle of August to allow time for a training transition period, and inquired how the Commissioners would like to proceed. Todd McCormack advised in order to make that happen a decision needs to be made now in regards to changing it from part-time to full-time to allow time for Lori Turpin to revise the job description, HR to advertise the position, and the position to be filled. Todd McCormack stated the decision should be made in cooperation with the Council to approve the position becoming full-time and for an additional appropriation to cover both salaries during the transition.

Commissioner Gentry moved for Lori Turpin to proceed with the request to the Council and for Lori Turpin to work with HR. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

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#### **IN THE MATTER OF REPLACED COMPUTERS**

Doug Morris reported I.T. is replacing lots of computers and he is receiving requests to keep the old computers as well. Doug Morris advised he is denying the requests as the computers are tied to his licensing commitments and there are not enough licenses to cover keeping the old computers.

## **IN THE MATTER OF COMMENTS FROM THE FLOOR**

Garen Carnes, resident of 9550 Edgewater Court in Brownsburg, inquired how much collaboration the County has had with the Town of Brownsburg regarding the Town's future land use project/zoning for areas along the Ronald Reagan Parkway, including the unincorporated areas, to update their Master Plan.

Commissioner Dawes advised the County's Master Plan for the Parkway reflects the recommended land use/zoning of the areas along the Parkway and stated there has not been any zoning collaboration discussions with the Town of Brownsburg that he is aware of.

Garen Carnes reported the Town's Department of Developmental Services sent out a survey, open house, and are scheduled to make their recommendations for future land use to the Town's Plan Commission on July 19, 2021 and if approved, will proceed with presenting to the Town Council. Garen Carnes a lot of the areas being discussed are in the unincorporated areas and wanted to make the County aware of what was going on as he has his own personal concerns.

Commissioner Dawes encouraged Garen Carnes to present his own concerns to the Town and to keep doing it from a citizen's standpoint and stated the County does not have any say on items inside the Town but the unincorporated areas are the County's jurisdiction.

Commissioner Gentry stated the County constantly discusses the wastewater issue in these areas along the Parkway and advised they will not be developed until the wastewater issue gets figured out and does not believe anything will happen until it is addressed.

Garen Carnes expressed his frustration with the Towns coming in and annexing these types of areas right after the County has paid for the developmental improvements and them not giving any kind of compensation back to the County. The Commissioners stated this is a large dilemma of the County's because the County does these improvements for the betterment of the community and then the Towns come in and annex them and advised the County has no control over these annexations.

Commissioner Palmer stated Garen Carnes has expressed some very valid concerns and agreed with Commissioner Dawes that he should address them at the Town's meetings. Commissioner Palmer stated the Parkway Master Plan was developed with the hope the Towns would adhere to it and stated the Town of Brownsburg has a copy of the County's Plan.

Garen Carnes stated he wished the Town would collaborate with the County for the unincorporated areas, plans to attend the Town's meetings, thanked the Commissioners for their time, and thanked Mila Shaffer for her help.

## **IN THE MATTER OF COMMISSIONERS**

Commissioner Palmer expressed the Commissioners' sympathy to John Parmley for the passing of his mother.

Commissioner Dawes reported there is a meeting scheduled with the State Fire Marshall and Wes Bennett to discuss the fire and emergency services for the I-70/SR 39 exit area in Liberty Township. Commissioner Gentry inquired if Liberty Township was included in the meeting. Commissioner Dawes advised they are not included in this meeting but stated they have been included in the prior discussions, as well as the Town of Clayton.

Commissioner Dawes reported there is an upcoming meeting with INDOT and Sunbeam to discuss traffic in the I-70/SR 39 exit area.

Commissioner Dawes recommended the Commissioners establish an ARP Committee to begin establishing a process for claims. Commissioner Palmer advised Nancy Marsh has recommended the same.

## IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

### CHECKS RECEIVED

- |             |                             |                         |
|-------------|-----------------------------|-------------------------|
| 1. \$351.00 | Leadership Hendricks County | Lease of Office Space   |
| 2. \$135.00 | Travelers                   | Claim No. 028ABFRW1467N |

### STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the Engineering Department Report of July 13, 2021 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of July 13, 2021 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of July 13, 2021 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of July 13, 2021 from Doug Morris.
5. Receipt was acknowledged for the HR Report of June 19, 2021 – July 9, 2021 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of June 14, 2021 – June 18, 2021, June 21, 2021 – June 25, 2021, and June 28, 2021 – July 2, 2021 from Curt Higginbotham.
7. Receipt was acknowledged for the EMA Report of June 19, 2021 – July 1, 2021 from Dawn Mason.
8. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period of June 1, 2021 through June 30, 2021 from Tim Dombrosky.
9. Receipt was acknowledged for the Parks & Recreation Report of July 9, 2021 from Ryan Lemley.


### CORRESPONDENCE RECEIVED

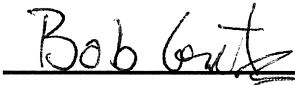
1. Letter from Indiana Department of Health regarding Weights and Measures Inspectors.
2. Letter from McNeil Coatings Consultant.
3. Notice of Public Hearing by the Danville Board of Zoning Appeals for 208 E. Poplar St. from Duane Lane.
4. Notice of Public Hearing by the Hendricks County Plan Commission for Eagle Lakes Condominiums from Banning Engineering.
5. Notice of Claim from Keller & Keller, representing Elizabeth Collier.
6. Notice of Claim from Hurst Limontes, representing Ricky Coughenour

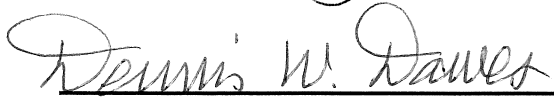
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### IN THE MATTER OF ADJOURNMENT

Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 11:09 AM on Tuesday, July 13, 2021. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

  
Phyllis A. Palmer, President

  
Bob Gentry, Vice President

  
Dennis W. Dawes, Member