



## **HENDRICKS COUNTY BOARD OF COMMISSIONERS**

### **MINUTES OF THE MARCH 8, 2022 MEETING**

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, March 8, 2022 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
Nancy Marsh	Auditor
Brett Clark	Sheriff
Nicole Lawson	Assessor
David Gaston	Surveyor
John Ayers	Engineer
Kevin Cavanaugh	Facilities Manager
Doug Morris	I.T. Director
Tim Dombrosky	Planning & Building Director
Erin Hughes	Human Resources Administrator
Steve Carroll	Government Center Security Deputy
Curt Higginbotham	Highway Department Superintendent
Ryan Lemley	Parks & Recreation Superintendent
Loren Delp	Prosecutor (Attended Remotely)
Jack Sadler	Merit Captain (Attended Remotely)
Kim Galloway	Assistant Engineer (Attended Remotely)
Susan Bentley	Chief Probation Officer (Attended Remotely)
Terry Benton	Highway Department Office Manager (Attended Remotely)
John Gramling	Application Support/Telecom Admin. (Attended Remotely)
Dan Chubb	Chief Deputy Coroner (Attended Remotely)

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

Commissioner Palmer opened the Meeting at 9:00 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison. Commissioner Dawes gave a brief prayer for those who wished to participate.

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

Commissioner Gentry moved to approve the Minutes of the February 22, 2022 Commissioners' Meeting as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

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#### **IN THE MATTER OF CLAIMS**

Commissioner Gentry moved to approve Direct Deposit Check Numbers 217585-218093 and Budgetary Claims presented from the Auditor's Office for the period beginning February 24, 2022 and ending March 9, 2022 as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

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#### **IN THE MATTER OF ZA 491/22: CITY PROPERTIES, LLC.**

Tim Dombrosky presented an ordinance to amend the zoning map of Hendricks County from GB/General Business District to PB/Planned Business Park District, commonly known as ZA 491/22: City Properties, LLC.,

S17-T16N-R2E, Lincoln Township, 1 parcel totaling 1.96 acres, located at 10095 E. US Highway 136, just east of N. County Road 1000 E. and requested approval. Tim Dombrosky reported the drainage concerns expressed by the Commissioners at the last Commissioners' Meeting were discussed with Dave Gaston and advised the concerns could not be addressed until it went to the Drainage Board.

Commissioner Gentry stated he is not in favor of approving the request without a drainage plan approved by the Drainage Board.

Commissioner Gentry moved to deny the rezoning request as presented due to drainage concerns. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF LEASE WITH MARK X. COMPANY FOR NEW PROBATION OFFICE**

Kevin Cavanaugh presented the proposed Lease with Mark X. Company with the amendments recommended at the last Commissioners' Meeting for \$59,160.00 annually for the new Probation Office and requested approval. Kevin Cavanaugh reported Greg Steuerwald had not had a chance to review the amended Lease.

Commissioner Dawes moved to approve the Lease as amended with Greg Steuerwald's approval. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF INTERLOCAL AGREEMENTS WITH THE TOWN OF PLAINFIELD  
RELINQUISHING PLANNING AND ZONING AUTHORITY**

Tim Dombrosky reported it has come to his attention some of the parcels the Town of Plainfield came to the Commissioners requesting relinquishment of planning and zoning authority to them, because they had enough volunteers to annex the parcels, have not been annexed. Tim Dombrosky advised the annexations were to occur before December 31, 2021, and if annexation did not occur, the authority would automatically revert to the County. Tim Dombrosky stated he reached out to the Town to let them know the authority reverted to the County and requested someone from there come to a Commissioners' Meeting to explain why the annexations did not occur. Tim Dombrosky advised it does not appear the area containing the new school in Guilford Township will be annexed, when the Town assured the County it would be and it wasn't, and this is an issue because there now is a school in the County's jurisdiction. Tim Dombrosky stated he is sure there will be significant development around the school that the County did not want and the Town has put the County in a very difficult spot.

The Commissioners requested Tim Dombrosky submit a formal letter to the Town advising them that the authority for the parcels has reverted to the County.

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**IN THE MATTER OF CENTRAL INDIANA COMPREHENSIVE ECONOMIC DEVELOPMENT  
STRATEGY UPDATE**

Rose Scovel, representative from the Indianapolis Metropolitan Planning Organization (IMPO), presented an update on the Central Indiana Comprehensive Economic Development Strategy (CEDS). The IMPO is developing a CEDS to guide economic development efforts within Boone, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, and Morgan Counties. Rose Scovel reported a CEDS is a multifaceted action plan for regional economic development that covers a number of topics ranging from infrastructure to workforce development. If approved, the CEDS will meet all requirements outlined by the Economic Development Administration (EDA) to form an Economic Development District (EDD) to apply for funding.

There was discussion amongst the Commissioners and Rose Scovel regarding the matter and the concerns of the Commissioners: competing for economic development against other counties within the same EDD, additional fees for administration, and adding another layer of government to certain functions.

Rose Scovel advised if implemented, it will not pit counties against each other and will create a framework for financial support from the EDA. Rose Scovel stated the EDA will not invest without a CEDS in place. Rose Scovel reported if an EDD is established, there will be fees for the administration of it, but the counties are not charged fees for the creation of the CEDS itself.

Dennis Dawes stated it is just preliminary at this time and the involved counties will need to decide on a later date if they wish to participate or not.

John Ayers introduced Anna Gremling, IMPO Executive Director, and reported the County works closely with the IMPO and they have assisted the County with obtaining Federal funding in the past.

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**IN THE MATTER OF CASA PROGRAM CHILD CONTACT SPECIALIST  
PROFESSIONAL SERVICES CONTRACT**

Mila Shaffer advised Catherine Haines was not able to attend and presented the CASA Program Child Contact Specialist Professional Services Contract for \$11,121.00 and requested approval. Mila Shaffer reported CASA is not asking for an additional contract position and advised this individual is filling a vacant CASA position.

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

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**IN THE MATTER OF FEE APPROVAL FOR ON-CALL RIGHT-OF-WAY SERVICES**

John Ayers reported Beam, Longest & Neff (BLN), on-call right-of-way consultant, advised their fees for the CR 350 N. and CR 425 E. drainage project right-of-way acquisition services are \$36,735.00 and requested permission to proceed.

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

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**IN THE MATTER OF INTERLOCAL AGREEMENT WITH THE TOWN OF PLAINFIELD  
FOR BRIDGE NO. 237**

John Ayers presented an Interlocal Agreement with the Town of Plainfield for Bridge No. 237 on Stafford Road, just east of the Ronald Reagan Parkway, 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 COMMENTS FROM THE FLOOR**

Jay Thompson, Pittsboro Town Councilman, reported his wife filed a petition to run for Pittsboro Town Council and her petition was challenged. The Election Board voted 3-0 to deny her petition to run, claiming she is not a legal resident. Jay Thompson advised they do not own the home they live in; it belongs to a family member. Jay Thompson stated he was asked to resign from the Town Council but declined resigning and will deal with that if anything arises from it. Jay Thompson reported he wanted to let the Commissioners know in case someone comes to them requesting he resign from the Communications Advisory Board as the small towns' representative. Jay Thompson advised they have taken steps to remedy the situation and are now renting a room from the relative, just as the Town Clerk did two years ago for 90 days until her home was annexed into the Town. Jay Thompson stated if that was legal for her it should be legal for him too.

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**IN THE MATTER OF ELECTED OFFICIALS**

Nicole Lawson reported the ratio study has been submitted to the DLGF and is awaiting their response.

Nancy Marsh reported the AIC contacted her regarding a rumor that language for an unlimited residential TIF has been added to SB 382, which would mean they would not supply funding to schools, counties, towns, etc., and would be disastrous for everyone. Nancy Marsh advised the AIC is asking everyone to contact their Senators to request they deny SB 382 today. Nancy Marsh stated schools were not even aware of the added language.

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**IN THE MATTER OF BRIDLEWOOD SUBDIVISION**

John Ayers reported they received quotes from Keith Henderson, Landworks, and Murrain Excavating for some drainage work in Bridlewood Subdivision and requested awarding the work to Murrain Excavating for \$13,000.00 as the lowest responsive and responsible vendor.

Commissioner Gentry moved to award the work to Murrain Excavating as requested. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

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### **IN THE MATTER OF COMMISSIONERS**

Commissioner Dawes reported the ARP Funding Committee met on March 7, 2022 and will meet again on April 4, 2022 where they plan to start interviewing for the funding requests they have received. Commissioner Dawes advised they have received a total of \$31,592,038.00 in requests and have approximately \$33,000,000.00 available. Commissioner Dawes stated there are over 200 not-for-profit organizations in the County and their requests alone are almost \$8,000,000.00. Commissioner Dawes advised not all requests made will be approved.

Commissioner Dawes reported Dawn Mason will be attending the March 16, 2022 Communications Advisory Board Meeting to discuss the siren upgrade project.

Commissioner Dawes reported the final public hearing to establish the Liberty Township Fire Territory will be held on March 23, 2022 at 6:30 PM at the Hazelwood Community Center where they will vote on the matter.

Commissioner Dawes reported the Governor's Public Health Commission will meet on March 17, 2022 but select members are touring the State conducting informational meetings. There will be a meeting in Plainfield soon.

Commissioner Gentry inquired if funds from the public safety LIT could be used to fund the siren upgrade project. Nancy Marsh advised it could be used but stated the Communications Center is also funded from it and once the State 911 fund is depleted, the entire Communications Center will be fully funded from the public safety LIT.

Commissioner Gentry reported he referred property owners that could be impacted by the establishment of the Liberty Township Fire Territory to Nancy Marsh for assistance in calculating what their financial impact might be. Commissioner Gentry advised those that own a large amount of property could be substantially impacted. Commissioner Dawes advised most of these property owners were in attendance at the last Public Hearing.

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### **IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE**

#### **CHECKS RECEIVED**

1. \$720.00 Per Lot	M/I Homes of Indiana	Lot 47, 195
2. \$1,365.08	The Abstract & Title Guaranty Co.	Proceeds from Closing
3. \$4,000.00	Town of Avon	Stormwater Agreement
4. \$4,000.00	Town of Plainfield	Stormwater Agreement
5. \$7,311.50	Travelers	Claim No. 028ABFTG5991T

#### **STAFF REPORTS RECEIVED**

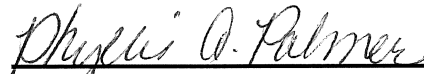
1. Receipt was acknowledged for the Engineering Department Report of March 8, 2022 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of March 8, 2022 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of March 8, 2022 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of March 8, 2022 from Doug Morris.
5. Receipt was acknowledged for the HR Report of February 19, 2022–March 4, 2022 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of February 13, 2022–February 18, 2022 and February 22, 2022–February 25, 2022 from Curt Higginbotham.
7. Receipt was acknowledged for the EMA Report of February 20, 2022–March 5, 2022 from Dawn Mason.
8. Receipt was acknowledged for the Plan Commissioner Director's Report of March 3, 2022 from Tim Dombrosky.
9. Receipt was acknowledged for the Animal Control/Shelter Report of Feb. 2022 from LaDonna Hughes.
10. Receipt was acknowledged for the Parks & Recreation Report of March 4, 2022 from Ryan Lemley.

**CORRESPONDENCE RECEIVED**

1. Claim Denial Letter from Travelers for Claim No. FTG4861.
  2. Notice of Public Hearing by the Avon Plan Commission for ZA 22-04, Bradford Road & Ronald Reagan Parkway Industrial Project, from Kimley Horn.
  3. Notice of Public Hearing by the Avon Board of Zoning Appeals for Case No. SE 22-02, Love it Sew, from Comer Law Office, LLC.
  4. Letter from B&O Trail Association, Inc. requesting funding allocation from the County.
  5. Notice of Public Hearing by the Avon Plan Commission for DPR 22-03, Avon Landing Industrial, from American Structurepoint.
  6. Notice of Public Hearing by the Brownsburg Advisory Plan Commission for Case No. PCPP-22-3 from LandWorx Engineering.
  7. Notice of Tort Claim from Ken Nunn Law Office representing Travis T. Franklin.
  8. Notice of Tort Claim from Ken Nunn Law Office representing Hannah D. George.
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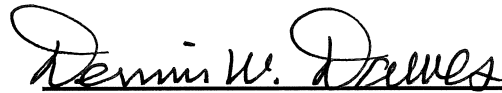
**IN THE MATTER OF ADJOURNMENT**

Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:05 AM on Tuesday, March 8, 2022. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.



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Phyllis A. Palmer, President

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Bob Gentry, Vice President



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Dennis W. Dawes, Member