

September 25, 2000

The Hendricks County Board of Commissioners met in regular session at 11:25 AM on Monday, September 25, 2000, in the Commissioners' Meeting Room on the first floor of the Hendricks County Government Center with the following in attendance;

John D. Clampitt)	
John A. Daum)	Hendricks County Board of Commissioners
Hursel C. Disney)	
Gregory E. Steuerwald	Hendricks County Attorney
David Gaston	Hendricks County Surveyor
Walt Reeder	Hendricks County Plan Commission Director
John Tarantino	Hendricks County Engineer
Russ Lawson	Hendricks County Highway Superintendent
John Parsons	Hendricks County Systems Administrator
Debbie Reeder	Hendricks County Auditor
Mary Anne Lewis	Hendricks County Chief Animal Control Officer
Judith Wyeth	Secretary to the Commissioners

IN THE MATTER OF HIGHWAY

Russ Lawson reported that the Highway crew is still laying hot mix and clearing roadside ditches. There was discussion about bushes and trees along Washington Street that need to be trimmed.

IN THE MATTER OF ANIMAL SHELTER

Mary Anne Lewis requested new hand-free cell phones installed in her two new vans stating that one of the old vans has a cell phone, however, it is not the hands-free model and that she has had some problems with that phone. Commissioner Clampitt moved to approve a new cell phone for the one new van and to have the Engineering department check the phone in the old van to see if it needs to be replaced and to report back to the Commissioners if there is need to order an additional one. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

Mary Anne Lewis requested that her two senior officers take the vans home in order to protect the vans from vandalism at the fairgrounds and that they be “for business only”. There was discussion of officers having the vans ready to make calls when “on call” that they would have to report this as additional taxable income. Commissioner Clampitt moved to allow the two senior officers to take vans home on a temporary basis for six months so that they can better serve the residents of Hendricks County and that they are taking care of the vehicles. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0. The Commissioners directed Ms. Lewis to check with the Auditor’s Office on reporting this use of vehicles for tax purposes and to check with the County attorney.

Mary Anne Lewis stated that she felt the conference she had attended in Kentucky was very educational and helpful to her as were several other conferences this year and requested to send two employees from her department to training seminar in October in Texas. There was discussion if there was any advantage to send two additional members to the same training, the cost of this seminar in Texas and if there was closer training. It was consensus of the Commissioners that Ms. Lewis bring back a report of cost of this seminar and if there was training that was closer.

IN THE MATTER OF BRIDGE NO. 220

John Tarantino presented for execution the previously approved Agreement for the Provision of Limited Professional Services from Bernardin-Lochmueller and Associates for Bridge No. 220 over County Road 600 North for construction change to modify railing to Texas Railing System. Commissioner Clampitt moved to allow the President to sign the agreement as presented. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

IN THE MATTER OF TOUT SCHOOL CREEK ESTATES

John Tarantino questioned to discuss under Highway time the issue of County Road 471 East for Tout School Creek Estates development and it was consensus of the Commissioners to discuss during the afternoon session as this is an agenda item for 1:00 PM.

IN THE MATTER OF BRIDGE NO. 56

John Tarantino presented transfer of appropriation of \$162,000 from 25-203-625, Bridge No. 56 to the following bridge projects.

25-203-655: Box Culvert 750S Liberty	\$ 12,000
25-203-662: Box Culvert 100N Marion Twp	10,000
25-203-663: Culvert Inspections	60,000
25-203-664: Coatesville Culvert Project	40,000
25-203-665: Box Culvert #1 350 W Franklin	20,000
25-203-666: Box Culvert #2 350 W Franklin	20,000

There was discussion of keeping the Council informed and that these transfers should be approved by the Commissioners and forwarded to the Council for consideration. Commissioner Clampitt moved, per staff recommendation, to send list of transfers from the Bridge Fund to Council as presented. Commissioner Disney seconded the motion on the condition that it was legal and the motion was approved unanimously. 3-0-0

IN THE MATTER OF TOWN OF DANVILLE - HENDRICKS COMMUNITY HOSPITAL

Announcement was made of the Special Joint Meeting with the Commissioners and the Town of Danville on Monday, September 25, 2000, at 7:00 PM in the Danville Town Hall to discuss construction of a road from US Highway 36 to Sycamore Lane and swap of property between the Hendricks Community Hospital and the County. There was discussion that this was an informational and open meeting.

IN THE MATTER OF ENGINEERING

There was discussion of rumble strips added to county roads as warning signals before intersections. John Tarantino reported that for north bound and south bound for two legs of an intersection would be \$1,300 installed.

IN THE MATTER OF CONTRACTOR'S COMPLETION AFFIDAVIT
VILLA WOODS OF AVON AND MIP-576

Walt Reeder presented Contractor's Completion Affidavit for Villa Woods of Avon development for Sanders Developer and Harvey Construction contractor. Commissioner Clampitt moved, per staff recommendation, to accept the Contractor's Completion Affidavit for Villa Woods as presented. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

Walt Reeder requested for MIP-576: Steve Dyer that based on the on-site inspection of the work completed to date for this project that the performance bond be released and to waive the maintenance bond requirement as it would be under \$1,000. Commissioner Clampitt moved, per staff recommendation to approve the request to release the performance bond for MIP-576 for Steve Dyer and to waive the maintenance bond recommendation as presented.

Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

The meeting recessed for lunch to resume at 1:00 PM

IN THE MATTER OF TELEPHONE - AWARD BIDS PHASE TWO

John Tarantino explained the four phases of the telephone bid that #1 and #4 are for parts and labor, #2 for voice mail and #3 for copper line for facilities on the east side and jail with the exception of the animal shelter and that there was also an alternate #3 for fiber optic, except for the animal shelter. The following bids were lowest:

#1 & 4	Williams Communications	107,388.45
#2	Williams Communications	30,212.79
#3	Clawson Communications (copper)	22,700.00
#3-Alt	Clawson Communications (fiber optic)	18,000.00

Mr. Tarantino further advised that time frame would be sixty days before they could start and would be ninety days for completion for a total of five months from time contract is signed until complete. Paul Johnson presented a Hendricks County Network Design explaining the linkage of the Phase II project for Hendricks County Government and stated that the County would save if all is done at the same time and if done now to bank on the future and that this does have a one year warranty. John Parsons advised that the technology for fiber optic addition to these areas and preferred to have available to add fiber optic. Commissioner Clampitt moved, per staff and consultant recommendation to allow all parts plus fiber optic as lowest most responsive and responsible bids presented.

Commission Disney seconded the motion and the motion was approved unanimously. 3-0-0

John Tarantino stated that funds are available within the 2000 budget for this telephone upgrade and presented a draft letter to the Council transferring within cum cap, line 20-202-327 voice mail funds to the 20-202-326 telephone line. Commission Clampitt moved, per staff recommendation, to approve and execute the transfer letter as presented. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

IN THE MATTER OF ZA-234/LN00-02: DONALD M. STAFFORD

Walt Reeder presented ZA-234/LN00-02: Donald Stafford request for a change in zoning classification from R-1: Low Density, Single Family Residential District to a PUD Planned Unit Development District for 144.00 acres in Lincoln Township located on the west side of Raceway Road and on the north side of US Highway 136. A detailed development standards for the proposed Clermont Lakes Subdivision residential and commercial, letters from the Brownsburg Community School Corporation, Town of Brownsburg, and Kenneth Magee, along with R-2 vs Clermont Lakes PUD and a list of developments in progress in the Brownsburg School District were presented to the Commissioners for review and consideration. The following individuals spoke on this project:

Marvin Ward, Business Manager fore the Brownsburg School Corporation, explained the list of developments approved by the Town of Brownsburg and Hendricks County within the Brownsburg School District and expressed the concerns of the schools ability to handle the rapid growth.

Bill Partlow, mentioned tax, traffic and growth concerns and stated he wanted to keep Indianapolis Raceway Park and to let it grow in this area.

Bill Duncan stated a reality check on taxes, growth, the effect low housing has on existing home values and presented photos of the traffic in this area.

Mary Beth Christensen, requested to go with the ordinance and to not pass this zoning request.

Kenny Magee, presented letter of support for this PUD project

Paula Burton, opposed additional growth in this area and stated need for infrastructure and requested a resting time for growth.

Donald N. Stafford, developer, explained in response to concerns of new residents of noise from IRP that studies with Plainfield residents who are requested to sign affidavits if they are near the policy academy and explained the proposed commercial intent.

Amy Comer Broderick explained the requirements stating the standards are higher for this PUD than required, the process of working with staff and neighborhood to revise plans for green space and that the commercial exceeds requirements. Ms. Broderick further advised that 143 registered letters were sent to adjoining neighbors and that only five remonstrators attended the Plan Commission public hearing, further advising that a recommendation from the Plan Commission stating that this was the best PUD plans that they had seen. Commissioner Disney moved, per staff

recommendation to approve ZA-234/LN00-02 as Ordinance No. 2000-22 with the following self-imposed condition terms found in Exhibit A as follows;

*Acres 98+/- acres Maximum No. Lots 270 Maximum Density Per Lot 2.76 lots per acre
Present Open Space 9.3 +/- acres, 9.5% private open space 46.5 +/- acres 47.9 common open space
Minimum House Size 1 story no more that 30% @2040-1199 SW with at least 70% @1200 SR or greater
2 story-6x50SF first floor, 1250SF minimum total floor area
Minimum Lot Area 6000 SR Minimum Lot Width 60 feet
Minimum Side Yard Setback one side 6 feet sum of side yards 16 feet
Gable Overhangs 8" overhang on gable roof
Landscape Requirements – Landscaped entry and boulevard, landscaped common area, landscaped homesites
Community Amenities Tot lot/playground area, swimming pool with bath house, and open space
Landscape Buffer Zone with residential – Minimum 25 foot landscape buffer along the perimeter and
Minimum 150 feet from any proposed structure to Clermont Heights property line
Landscape Buffer Zone with commercial – 50 foot minimum*

Commissioner Daum seconded the motion and the motion was approved 2-1-0 with Commissioner Disney and Daum voting aye and Commissioner Clampitt voting nay.

IN THE MATTER OF TOUT SCHOLL CREEK ESTATES

Ed Schrier presented Agreement for Tout School Creek Estates for 24 lots in Middle Township for CR 471E subject to Plan Commission final approval. There was discussion of replacing the two 12 inch pipes, chip and seal of asphalt with stone base and of the developer obtaining the right of way. The following Agreement was presented.

*Comes now Comer Enterprises, Inc., by it's duly authorized officer, hereinunder designated
"Comer" and the Commissioners of Hendricks County, Indiana, hereinafter designated:
"Commissioners" and do hereby agree as follows:*

- 1. That the Commissioners shall improve County Road 471E to its standards no later than two years from date hereof;*
- 2. That Comer shall pay to the Commissioners a contribution toward the improvement of said road, which contribution shall be paid in the amounts and the time as follows:
\$1,000 per lot for those proposed lots Numbered 13 through 24 to Tout School Creek Addition, which sum shall be paid at the time of application for building permit.
PROVIDED HOWEVER that Comer shall have available building permits for six lots
From those proposed lots, numbered 13 through 24 upon final approval of the plat thereof.
That building permits for the remaining six lots shall not be issued until completion of the improvements to County Road 471E.*
- 3. That Comer shall dedicate the roadway along the east line of its property to include cul-de-sac and for east side of Isaac Schenck property in accordance with the thoroughfare plan of Hendricks County, Indiana.*
- 4. That any action to enforce the terms hereof shall include attorney fees and the cost thereof to the successful party.*
- 5. That this agreement shall be binding upon the heirs, successors and assigns of the parties hereto.*

*So agreed this 25th day of September 2000 (signed) Comer Enterprises, Inc., by Stan Comer
Schrier Enterprises by Ed Schrier, Pres.
Hendricks County Commissioners by John A Daum
Hursel C. Disney, John D. Clampitt*

Commissioner Clampitt moved to approve the agreement as amended and presented. Commission Disney seconded the mention and the motion was approved unanimously. 3-0-0

IN THE MATTER OF CORINTH COUNTRY ESTATES

Ed Schrier advised that he hopes to be back to meet scheduled deadlines on Corinth Country Estates.

IN THE MATTER OF EMERGENCY MANAGEMENT - APPOINTMEN

Receipt was acknowledged of applications for the Emergency Management Director from John P. Adams of

Plainfield, Scott Tyler of Danville and David M. Warren of Brownsburg. Tom Drake recommended John Adams as the most qualified applicant for the position. Commissioner Clampitt moved on the recommendation of the current Emergency Management Director to appoint John R. Adams as Emergency Management Director to replace Tom Drake. Commissioner Daum seconded the motion and the motion was approved 2-1-0 with Commissioner Clampitt and Daum voting aye and Commissioner Disney voting nay. Mr. Drake advised that he will be attending a mandatory meeting in Bloomington this week and that his resignation will be effective October 15, 2000.

IN THE MATTER OF PARK BOARD

Bill Harrington, President Hendricks County Park Board, requested to apply for a grant to the Department of Commerce and presented a draft letter, which must be executed and sent by the Commissioners. Commissioner Clampitt moved to approve the letter for grant as presented and that it be signed by the President. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

IN THE MATTER OF GIS

David Gaston stated he wanted to check where we are and the status of the GIS. John Tarantino stated several county offices have a work station with GIS and that the engineering Department will prepare an informational workshop at 10:00 AM on Friday, October 13, to bring up to date the current status of the GIS and that John Parsons will discuss network long range plan and set up a terminal in the meeting room. Currently there are five departments within the County with access to GIS. Mr. Gaston advised that they will fly over the county for aeriels and complete within the next year and that Beam Longest and Neff and Parsons and Shartle are doing supplemental work for the county. Mr. Tarantino requested that any office that wants GIS needs to get training. There was discussion of the county GIS. David Gaston inquired if the county would have a GIS department or would they farm it out. There was discussion of Quest being involved and all department heads, County Council, Commissioners, and Beam Longest and Neff and to get an estimate of cost in house and cost if farmed out.

IN THE MATTER OF BOND TRUSTEES

John Tarantino presented an Affidavit from Office Works for furniture previously approved by the Commissioners for the various offices of the Government Center in the amount of \$5116.41 and advised that this had been forwarded to the Bond Trustees for consideration and no response within the ten days therefore, the furniture has been ordered. It was consensus of the Commissioners to approve the affidavit and forward to the Bond Trustees for payment.

IN THE MATTER OF 200N AND RACEWAY ROAD – ADDITIONAL

John Tarantino presented a letter to the Counties requesting \$1,000 additional appropriation from the Council for additional survey work needed to complete the design of traffic signal at CR 200N and Raceway Road Intersection.

IN THE MATTER OF ENGINEERING

John Tarantino presented a letter to the Council requesting transfer \$200 from Equipment Rental to DPW Equipment in order to purchase a soil pulverizer for the Department of Public Works and this was necessary as the original estimates have expired and the cost is now \$200 higher for this item.

IN THE MATTER OF FURNITURE

A follow up of the request for an old desk at the Courthouse for the Mill Creek Schools indicated that Commissioner Clampitt had not yet checked on this matter, however, will check and report back next meeting.

IN THE MATTER OF RECORD PRESERVATION

John Tarantino advised that the estimate for record preservation had been reduced, however, the Council had tabled in February and requested direction on this matter. There was discussion of the records and methods to preserve. The Commissioners requested to investigate the cost of equipment if purchased and operated by staff and directed the Engineering Department to research and bring back cost and recommendation.

IN THE MATTER OF CONFERENCES

Auditor Debbie Reeder reimbursed the county \$115 for the registration fee under the name of Debbie Simpson as she will be attending the AIC conference as a spouse and requested that the room reservation be cancelled for Debbie Simpson at the Fred Lick Hotel.

Commissioner Daum advised that he had paid his own fee of \$600 to attend the Farm Preservation Tour to Maryland last week.

IN THE MATTER OF BROWNFIELD LOAN

Greg Steuerwald presented the Brownfield Loan Agreement and the Brownsfield Redevelopment Loan, Loan Servicing and Disbursement Agreement, from the Indian Development Finance Authority for execution. Commissioner Clampitt moved to allow the President to execute the contract as presented. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

Walt Reeder and John Tarantino left the meeting at 4:00 PM

IN THE MATTER OF DIRECT SELLERS ORDINANCE AND CANVASSERS ORDINANCE

Auditor Debbie Reeder advised that she had not been able to contact Col. Stoddard relative to the Ordinance for Direct Sellers and the Ordinance for Canvassers.

IN THE MATTER OF COMPUTERS

Auditor Debbie Reeder again advised that she does not have a contract between the County and Quest for computer work., however had received Auditor's Office System Requirements Definition proposal and Appendix "A" Agreement No. 251. Commissioner Clampitt stated that he will obtain a copy of the contract from John Parsons.

IN THE MATTER OF PERSONNEL

Debbie Reeder presented a memo to Human Resource Director and requested that all matters relative to any employees in her department be brought to her as the proper chain of command. The Commissioners directed the matter to the Personnel Committee.

Stayce McClain advised there is a Personnel Committee Meeting schedule for Thursday, September 28, at 6:00 PM in Room 2 of the Government Center.

IN THE MATTER OF DRAINAGE BOARD

David Gaston read from the Indiana Code Book relative to cumulative drainage fund and requested to go to the

Council. There was discussion. Mr. Gaston will make copies of the code for the Commissioners to review.

IN THE MATTER OF CLAIMS

Commissioner Clampitt moved to approve claims No. 20219 thru 202022, #202025 thru 202040, #202043 thru 202373 and #97272 thru 97675 as presented. Commissioner Disney seconded the motion and the motion was approved unanimously. 3-0-0

IN THE MATTER OF LEADERSHIP HENDRICKS COUNTY

There was discussion of the 2001 community calendars being developed by Leadership Hendricks County.

There being no further business the meeting recessed at 4:30 PM

John A. Daum

Hursel C. Disney

John D. Clampitt

ATTEST: _____
Debbie Reeder, Auditor
