



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE JANUARY 10, 2023 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, January 10, 2023 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
Greg Steuerwald	County Attorney
Mila M. Shaffer	Administration and Public Affairs
Nancy Marsh	Auditor
Jack Sadler	Sheriff
Eric Wathen	Councilman, President
Dave Gaston	Surveyor
Tiffany Dalton	Chief Deputy Surveyor
Dawn Mayhood	Treasurer
Pawnie Dwyer	Chief Deputy Treasurer
Nicole Lawson	Assessor
Jeni Aubrey	Chief Deputy Assessor
John Ayers	Engineer
Catherine Haines	Court Administrator
Susan Bentley	Chief Probation Officer
Doug Morris	I.T. Director
Kevin Cavanaugh	Facilities Manager
Bart Harvey	Highway Bridge and Project Manager
Curt Higginbotham	Highway Department Superintendent
Erin Hughes	Human Resources Administrator
Dawn Mason	EMA Director
Cherokee Boyd	Emergency Management Intern
Tim Dombrosky	Planning & Building Director
Ryan Lemley	Parks & Recreation Superintendent
David Wyeth	Councilman (Attended Remotely)
Rick Morphew	Coroner (Attended Remotely)
Krista Click	Health Department Administrator (Attended Remotely)
Kim Galloway	Assistant Engineer (Attended Remotely)
Joe Percy	Highway Department Assistant Superintendent (Attended Remotely)
Terry Benton	Highway Department Office Manager (Attended Remotely)

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. Greg Steuerwald gave a brief prayer for those who wished to participate.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Budgetary Claims presented from the Auditor's Office for the period

beginning December 29, 2022 and ending January 11, 2023 as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF UNFINISHED BUSINESS

No matters presented.

IN THE MATTER OF PUBLIC HEARING FOR STOP SIGN AT CR 500 N./CR 600 E.

Commissioner Palmer opened the Public Hearing for the proposed Ordinance for Stop Signs on Certain County Roads to install a three-way stop sign at County Road 500 North at County Road 600 East at 9:02 AM. There were no remonstrators present and Commissioner Palmer closed the Public Hearing at 9:03 AM.

John Ayers reported a recent traffic study showed the stop sign was warranted and recommended approval.

Commissioner Dawes moved to follow the Engineer's recommendation and approve the Ordinance as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Ordinance No. 2023-02.

IN THE MATTER OF BID OPENING FOR 2022-2 COMMUNITY CROSSINGS GRANT FUNDED RESURFACING PROJECT

Commissioner Palmer closed the bids for 2022-2 Community Crossings Grant Funded Resurfacing Project at 9:04 AM. John Ayers opened and read the following bids:

VENDOR	BID AMOUNT
Baumgartner & Company, LLC.	\$783,660.50
DC Construction Services	\$890,170.39
Howard Asphalt, LLC.	\$757,403.00
Midwest Paving	\$816,092.00
Milestone Contractors, LP	\$685,179.90

John Ayers advised the bids will be taken under advisement and a recommendation presented on a later date.

IN THE MATTER OF BID OPENING FOR CULVERT LB-075 REPLACEMENT

Commissioner Palmer closed the bids for Culvert LB-075 Replacement at 9:08 AM. John Ayers opened and read the following bids:

VENDOR	BID AMOUNT
Conexco, Inc.	\$417,888.00
CRM Excavating	\$524,918.00
E & B Paving	\$693,575.00

John Ayers advised the bids will be taken under advisement and a recommendation presented on a later date.

IN THE MATTER OF FUNDING AGREEMENT WITH DEVELOPERS FOR SIGNAL AT INNOVATION BOULEVARD AND STATE ROAD 39

John Ayers presented the Funding Agreement for Traffic Signal at SR 39 and Innovation Boulevard/Westpoint Boulevard with Westpoint SPE and I-70 West, LLC. and recommended approval. John Ayers reported the Agreement states the two developers at that intersection will each fund 50% of the construction cost, which they have verbally agreed to.

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

IN THE MATTER OF NOTICE TO BIDDERS FOR SIGNAL ON STATE ROAD 39

John Ayers presented the Notice to Bidders for Traffic Signal Installation at the intersection of State Road 39 and Innovation Boulevard/Westpoint Boulevard and recommended approval. Bids shall be due by 9:00 AM on February 14, 2023.

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

IN THE MATTER OF NOTICE TO BIDDERS FOR SIGNAL AT CR 600 N./CR 1000 E.

John Ayers presented the Notice to Bidders for Traffic Signal Installation and Modification at the intersection of County Road 600 North and County Road 1000 East and recommended approval. Bids shall be due by 9:00 AM on February 14, 2023.

Commissioner Gentry moved to approve the Notice as recommended. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF 2023 FINANCIAL SOLUTIONS GROUP AGREEMENT

Greg Guerrettaz, Financial Solutions Group, presented the 2023 Proposal for Budget, Sustainability/Revenue & Spending Plan, and "1782 Notice" Review Agreement for an amount not to exceed \$25,000.00 and requested approval. Greg Guerrettaz advised he worked with the Council and Nancy Marsh to tailor the Agreement to fit their needs.

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

IN THE MATTER OF RED ENVELOPE AGREEMENT FOR CONSULTING SERVICES

Erin Hughes presented the Red Envelope Consulting Proposal Agreement for Consulting Services for \$41,000.00 to design and implement a pay for performance compensation system and train Department Heads/Elected Officials as recommended by the Council and requested approval. Erin Hughes stated the Council approved moving forward with Red Envelope Consulting 5-0-1.

Commissioner Palmer inquired who did not vote. Erin Hughes stated Councilman Scott was absent and Councilman Brown abstained because he had just stepped back on to the Council.

Commissioner Palmer advised she was under the opinion these services were included in the Council's First Person contract for the compensation study and system and stated we spent more money on it than expected and took 3 painful years to complete it. Commissioner Palmer stated she has concerns regarding the cost of this Agreement, that one of Red Envelope's references is from First Person (who also submitted a proposal), and that they do not list any experience of working with county government.

Councilman Wathen stated it was difficult going through the compensation study with First Person and thinks the County is in a good position pay wise in relation to others in the state. Councilman Wathen advised a pay for performance system was attempted in the past and failed but if the County wants to implement one, the most difficult thing will be training the Department Heads/Elected Officials to properly complete employee performance evaluations. Councilman Wathen stated Red Envelope has offered to come back in afterwards to audit departments to see if the evaluations are being completed correctly and feels this is an important check and balance. Councilman Wathen advised he will be more involved in the process and has a passion to get it implemented to keep and retain the County's top performing employees and encourage others to become better employees.

Commissioner Palmer inquired when the Council expects to have this completed. Eric Wathen advised the plan is to have it completed to implement at budget time this year for 2024.

Commissioner Dawes advised he came from an organization that utilized a pay for performance system and agrees with Councilman Wathen. Commissioner Dawes stated the County has to get it right to make it work well, the people doing the evaluations have to understand they need to be open and honest with their employees for it to work right, hopes that will happen as this is implemented, and thinks the audit process will help with that. Commissioner Dawes stated he thinks this can be a good thing if implemented appropriately and correctly.

Commissioner Palmer advised some Elected Officials have term limits and inquired if the new incoming elected official replacing them would receive training under this contract. Councilman Wathen advised that would be an additional expense.

Councilman Wathen stated the Council can fund it and encourage it but hopes the Commissioners will participate and encourage others to implement the system correctly.

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

**IN THE MATTER OF RENEWAL OF ADR PROGRAM PROFESSIONAL SERVICES CONTRACT
AND RENEWAL OF CASA PROGRAM PROFESSIONAL SERVICES CONTRACTS**

Catherine Haines presented the Amendment to the Alternative Dispute Resolution (ADR) Program Plan Administrator Professional Services Contract for \$89,387.00 (increased to grade 36), the Amendment to CASA Program Program Director Professional Services Contract for \$59,776.00 (7.5% increase), the Amendment to CASA Program Volunteer Coordinator Professional Services Contract for \$23,910.00 (7.5% increase), the Amendment to CASA Program Wellbeing Assessment Coordinator Professional Services Contract for \$10,750.00 (7.5% increase), and the CASA Child Contact Specialist Professional Services Contract for \$11,956.00 (7.5% increase) and requested approval.

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

IN THE MATTER OF DEOBLIGATION OF FUNDS AND VEHICLE LEASE AGREEMENT

Jamie Howard, LINK/Sycamore Services, presented the INDOT Deobligation of Federal Transit Administration and State Transit Funds Letter to de-obligate \$329,825.00 of unused funds and the updated Third Party Lease and Service Agreement for their vans and requested approval. Jamie Howard reported the updated Lease was recommended by INDOT and advised a vehicle expires from the Lease when it is decommissioned.

Greg Steuerwald advised he had not seen these documents to review prior to the meeting.

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

IN THE MATTER OF INSURANCE RENEWAL REVIEW

John Parmley, EPIC Insurance, presented the 2023 automobile, property and casualty, crime, cyber, and workers' compensation insurance renewals for a total premium of \$1,243,521.00 with a \$10,000.00 property deductible and recommended approval. John Parmley stated he hopes to have the workers' compensation experience modification factor to project 2024 rates for the next Commissioners' Meeting and recommended looking at self-insuring or a large deductible program for the future. John Parmley advised the 2023 premiums are an overall increase of 7.4% and stated distracted driving and hitting stationary objects is a huge issue.

There was discussion amongst the Commissioners and John Parmley regarding the matter.

Commissioner Gentry moved to approve the 2023 insurance renewals as recommended. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

**IN THE MATTER OF R. CHAVEZ CONSTRUCTION COMPANY CONTRACT FOR
NEW PROBATION OFFICE**

Kevin Cavanaugh recommended awarding the Contract for the new Probation Office to R. Chavez Construction Company for \$751,980.00 as the lowest responsive and responsible bidder.

Commissioner Dawes reported the Council approved an additional appropriation of \$1,000,000.00 for this project and inquired why that amount was requested when this Contract was for a lesser amount. Kevin Cavanaugh advised that his request to the Council included this Contract and all furnishings, etc. that will be needed.

Commissioner Dawes advised many times in a lease there is an allowance from the owner for buildout and inquired if our lease had this. Kevin Cavanaugh stated it did not. Commissioner Dawes inquired if any of our leases have had that. Kevin Cavanaugh stated the two he has worked on have not.

Commissioner Palmer inquired if not having the allowance is typical of a small town lease and if it is something the County should be negotiating. Kevin Cavanaugh stated he cannot negotiate it now and does not have enough experience to know if the allowance is typical or not.

Commissioner Dawes stated the Council has probably brought up that for a \$1,000,000.00 investment, at the end of the lease we're giving that buildout cost back to the landlord, plus our lease payments. Kevin Cavanaugh advised any unattached furnishings and equipment would remain with the County and not the landlord.

Commissioner Dawes advised the County has been paying a lease payment for a year and instructed Kevin Cavanaugh to get the work going within the next month. Kevin Cavanaugh stated the work will be started as soon as possible and advised the Council has asked him to speak with the owner about selling the building.

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

IN THE MATTER OF TYSSSEN-KRUPP ELEVATOR SERVICE CONTRACT

Kevin Cavanaugh withdrew this item from the Agenda.

**IN THE MATTER OF RFQP FOR BUILD/OPERATE/TRANSFER (BOT) FOR MODULAR
HOUSING AT WORK RELEASE**

Kevin Cavanaugh presented the Request for Qualifications/Proposals for Public/Private Partnership Regarding Modular Expansion for the Hendricks County Work Release Facility and requested approval.

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

IN THE MATTER OF COMMENTS FROM THE FLOOR

Ryan Lemley presented a highlight list of the Parks & Recreation Department's 2022 accomplishments and thanked the Commissioners for their support.

Brian Turley, R. Chavez Construction Company, stated he will get started on the new Probation Office as soon as they get the local permits.

IN THE MATTER OF ELECTED OFFICIALS

No matters presented.

IN THE MATTER OF TRAVEL LOADER FROM PUTNAM COUNTY

Curt Higginbotham reported Putnam County has a 1993 travel loader they would like to dispose of and requested permission to offer \$20,000.00 for it to use as a backup or for parts. Curt Higginbotham advised Putnam County

owes Hendricks County for the 600 feet of paving we did in their jurisdiction last year and requested foregoing that claim in exchange for the acquisition of the loader.

Commissioner Gentry moved to approve purchasing the travel loader from Putnam County for \$20,000.00 by foregoing the claim they owe for paving as requested. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MEDIATION SETTLEMENT

John Ayers presented the Settlement and Release Agreement and Sales Disclosure Form with Michael L. Oles Jr. and Andrea B. Oles for \$340,000.00 for right-of-way acquisition and recommended approval.

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

IN THE MATTER OF INDOT 2022-2 COMMUNITY CROSSINGS GRANT CONTRACT

John Ayers recommended approval of the 2022-2 Community Crossings Grant Funded Resurfacing Project Contract and for Commissioner Palmer to DocuSign it.

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

IN THE MATTER OF 2023 HIGHWAY DEPARTMENT PRODUCTS AND SUPPLIES

John Ayers presented the Contracts for the awarded 2023 Highway Department Products and Supplies recently awarded and requested consent for Greg Steuerwald to verify information with Marathon regarding the fuel bids and bring back the findings.

It was the consensus of the Commissioners to have the information verified directly with the supplier as requested.

IN THE MATTER OF NEW HIGHWAY DEPARTMENT FACILITY

Kevin Cavanaugh presented the latest configuration of the new Highway Department Facility, advised they are working on an updated cost estimate, and stated he will also be sharing the information with the Council. Kevin Cavanaugh stated they reduced site development by about 5 acres and changed the building layout some.

Commissioner Palmer advised she met with Councilman Wathen and talked about the project priority list and inquired if the Commissioners would be able to receive it before the meeting with the Council the end of February. Kevin Cavanaugh stated they would receive it before then.

Nancy Marsh inquired if this was a joint meeting. Commissioner Dawes stated it was. Commissioner Palmer stated it is on February 28, 2023, following the Commissioners' Meeting, and would be just the Council and the Commissioners. Commissioner Palmer advised she did not see the need for Financial Solutions Group to attend.

IN THE MATTER OF COMMISSIONERS

Commissioner Dawes reported January 9, 2023 was National Law Enforcement Day and expressed his appreciation to law enforcement officers for all they do.

Commissioner Dawes reported the Council recommended appointing Greg Irby to serve on the Economic Development Commission and moved to appoint Greg Irby as recommended. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Palmer reported she is hopeful that with their appointment to the Indianapolis Airport Authority, the Gordon Graham Advisory Board Meetings will resume.

Commissioner Gentry reported he was contacted by the Canadian Public Employees Retirement Fund wanting to

sponsor the wind energy project and advised he directed them to Commissioner Palmer, Nancy Marsh, and Todd McCormack.

Commissioner Palmer told everyone happy New Year and advised that when she was in the Rotary Club, they would give happy dollars at the end of their meeting for anyone with good news and welcomed individuals to present good news to the Commissioners.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

CHECKS RECEIVED

1. \$351.00	Leadership Hendricks County	Lease of Office Space
2. \$7,650.00	Freije & Freije Auctions	Auctioned Vehicle
3. \$14,701.70	Travelers	Claim #028ABFWT4644R

STAFF REPORTS RECEIVED

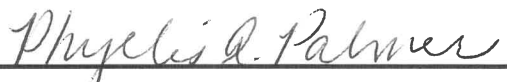
1. Receipt was acknowledged for the Engineering Department Report of January 10, 2023 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of January 10, 2023 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of January 10, 2023 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of January 10, 2023 from Doug Morris.
5. Receipt was acknowledged for the HR Report of December 24, 2022-January 6, 2023 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of December 12-16, 2022, December 19-23, 2022, and December 24-30, 2022 from Curt Higginbotham.
7. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period of December 1, 2022 through December 31, 2022 from Tim Dombrosky.
8. Receipt was acknowledged for the Parks & Recreation Report of January 6, 2023 from Ryan Lemley.

CORRESPONDENCE RECEIVED


1. Notice of Public Hearing by the Hendricks County Plan Commission for CRM Real Estate, LLC. from Comer Law Office.
2. Notice of Tort Claim from Ken Nunn Law Office representing Nashaun C, Bradford.
3. Notice of Tort Claim from Ken Nunn Law Office representing Trinity Greer.

IN THE MATTER OF ADJOURNMENT

Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:32 AM on Tuesday, January 10, 2023. 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