

February 12, 2001

The Hendricks County Board of Commissioners met in regular session at 9:30 AM on Monday, February 12, 2001, in the Commissioners' Meeting Room on the first floor of the Hendricks County Government Center with the following in attendance:

Steven L. Ostermeier)	
Linda Palmer)	Hendricks County Board of Commissioners
John D. Clampitt)	
Gregory E. Steuerwald		Hendricks County Attorney
Nancy L. Marsh		Hendricks County Auditor
Judge Robert Freese		Hendricks County Superior 1 Judge
Amy Roberts		Hendricks County Treasurer
Russ Lawson		Hendricks County Highway Superintendent
Walt Reeder		Hendricks County Plan Commission Director
John Tarantino		Hendricks County Engineer
Judith Wyeth		Secretary to the Commissioners

IN THE MATTER OF PROCLAMATION FOR PLAINFIELD QUAKERS FOOTBALL TEAM

Commissioner Ostermeier read a proclamation for the Plainfield Quakers Football Team in recognition of the team advancing to the final game of the Class 4-A Division High School Football finals on Saturday, November 25, 2000, in the RCA Dome, Indianapolis, Indiana. A signed proclamation was presented to coach Chuck Schwanekamp, four senior team players and two senior cheerleaders and proclamations were also sent back to Plainfield High School for each player, cheerleader, manager, coach and athletic director of this team.

IN THE MATTER OF CLERK'S OFFICE

The Commissioners recognized Hendricks County Clerk Sharon Dugan for receiving the Clerk of the Year award and Hendricks County employee Laura Herzog as the Election Worker of the Year award by presenting flowers to each. Commissioner Ostermeier commended both employees stating that Hendricks County was very proud to have received the Outstanding Clerk and Outstanding Election Worker this year and of Barb Ford who had received the Outstanding Assessor award last year.

IN THE MATTER OF SUPERIOR COURT I

Judge Bob Freese of Superior I stated that he had selected some of the older wood furniture that the County has in storage to use in his office and requested that it be refinished. There was discussion of obtaining at least two quotes for this work.

Judge Freese advised that he would be receiving two computers from the Prosecutor and requested that one be FAX compatible.

Judge Freese requested to have a speakerphone for his courtroom and three speakerphones for his office staff stating that the phone in the courtroom had not been upgraded when other Courthouse phones were done. There was a discussion of the phones in the Courthouse. Commissioner Clampitt moved to approve the request of Judge Freese and to refer to the Engineering Department to determine what is necessary for this request. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Judge Freese further advised that he has replaced the bailiff in his courtroom with a jail officer that will be wearing a uniform and be around for security.

IN THE MATTER OF TREASURER

Treasurer Amy Roberts requested a resolution to authorize the acceptance of quotes by out of County depositories and according to I.C. 5-13-9-5 she must request this resolution to allow for the soliciting of quotes and/or awarding of certificate of deposits from State approved depositories that are not located within our County boundaries stating that she had been contacted by one depository located in Greencastle that is interested in bidding on our CD's. This resolution would expire no later than two (2) years from the date that it is adopted and that it has been reviewed and approved by the County Attorney. There was discussion that the County would have to go with the highest quote and that would make Hendricks County banks more competitive, however, all Hendricks County depositors should be notified. Commissioner Clampitt moved to allow the request of the County Treasurer to go outside Hendricks County for quotes and to approve resolution No. 2001-2 as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Treasurer Amy Roberts requested to place a drop box at the Government Center to better enable citizens to pay their taxes. and to place a notice on the box that it was only for tax payments and only by check or money order. There was discussion that Hendricks County citizens can pay their taxes in person, by mail, credit card or at several banking institutions within the County. It was further discussed that notices should be included with the taxes when sent this year informing the public of the tax paying options. Commissioner Clampitt moved to not allow a drop box at the Government Center for security reasons. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF THE PARK BOARD

Park Board President Bill Harrington introduced several members of the Park Board including Judie Hansen, Jerry Padgett, Ray Benson, Gary Emsweller and Paul Miner and requested a letter of support from the Commissioners to the Council in the amount of \$100,000 for the Kay Koch/Brian Malloy property on Big Walnut Creek in Eel River Township as a county park. Mr. Harrington made a slide presentation of this 128-acre parcel, including several buildings, and explained the various grants for which they have applied and of also obtaining the Glenn and Mildred Harlos adjoining property for a total park area of 233.5 acres. Gerald Padgett explained the 50/50 match from the federal government that requires a letter of support from the Commissioners. There was further discussion that the Indiana Department of Natural Resources will do an appraisal of the land, that this will be a nature park, there are approximately 100 tillable acres that could be rented and the rent used for maintenance, of equipment and maintenance needs, of insurance and of security. Councilman Kenny Givan inquired if funding could be obtained through the Tourism Commission. Laura Herzog stated that she lives on the adjoining property and would like to see this preserved in a natural setting. Bud Daum stated he was against taxpayer's money being used for parks. Commissioner Clampitt moved to send a letter of support for additional funding of \$100,000 to the County Council, if Hendricks County is in control. Commissioner Palmer seconded the motion and the motion was approved

unanimously 3-0-0.

IN THE MATTER OF IKON

John Warneke of IKON made a brief presentation on the equipment and service IKON offers for copiers and printers.

IN THE MATTER OF NORTH/SOUTH CORRIDOR

Steve Luther of Beam Longest and Neff presented, for consideration ,three agreements for the North/South Corridor. There was discussion of the Supreme Court decision, of wetlands, of changing design from 2-lanes to 4-lanes, funding, time delay for design, time frame and application. Commissioner Clampitt moved to have the Engineering Department review the three contracts/agreements with the County Attorney and to bring back next week. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COUNTY RENTAL PROPERTY

Orville Woody, Property Manager for County rental property, presented the following update:

100S CR 1050E, the renter has been removed, the well and septic have been secured, all outstanding bills paid and the keys turned over to the construction superintendent. There was discussion of the road access being shared by the developer.

839 South Tennessee Street in Danville, rent started 9-1-00 at \$550 per month, renter still owes \$250 rent for December, and rent is current for January and February. There was discussion that the utility company had torn up the yard, but repairs will be made when weather permits and before the grass is to be mowed.

Mr. Woody also advised the trust account had a year-end balance of \$7,452.76. There was discussion of the trust account. Commissioner Clampitt moved to keep funds in the trust account and that regular reports be made to the Commissioners. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EXTENSION OFFICE - PLAT BOOKS

Gary Emsweller explained the new plat books for Hendricks County had been prepared and presented one to each Commissioner.

The meeting recessed for lunch to resume at 1:10 PM.

IN THE MATTER OF AMO/COATESVILLE SEWER DISTRICT - APPOINTMENT

Receipt was acknowledged from Attorney Gary Wood of Notice of Board Vacancy for the Amo-Coatesville Sewer District, a Petition to Appoint Director to Fill Vacancy of the Amo-Coatesville Sewer Conservancy District Board and a Resolution Appointing Member to Fill Vacancy with a recommendation of Willard L. Steagall, PO Box 118, Coatesville, IN for Geographic District #3, temporary term to expire annual meeting 2002. Commissioner Clampitt moved to appoint Willard L. Steagall to the Amo-Coatesville Sewer Conservancy District Board for District #3 to fill the position until the annual meeting of 2002. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PROCLAMATION OF TRI KAPPA 100TH BIRTHDAY

Receipt was acknowledged of a request from Chris Morphew for a proclamation recognizing Tri Kappa 100th

Birthday and proclaiming February 18 – 24, 2001, as Tri Kappa Week. Commissioner Ostermeier read the proclamation. Commissioner Palmer moved to approve the proclamation for Tri Kappa 100th Birthday as presented. Commissioner Clappitt seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COVERED BRIDGE CERTIFICATION

Receipt was acknowledged of the Covered Bridge Certification from State Auditor Connie Kay Nass. It was the consensus of the Commissioners that the President signs the certificate that Hendricks County has NO covered bridges and to return to the State Auditor.

IN THE MATTER OF TORT CLAIM – MERANDA REED

Receipt was acknowledged of a tort claim from Lee, Burns, & Coswell, LLP for Meranda Reed for accident of September 15, 2000.

IN THE MATTER OF VETERAN’S REPORT

Commissioner Palmer moved to accept the January Veteran’s Report from Richard Bane. Commissioner Clappitt seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HIGHWAY EQUIPMENT

Russ Lawson requested a date to open bids for previously approved highway equipment. It was consensus of the Commissioners to advertise for equipment on February 22 and March 1, 2001, for bid opening at 9:00 AM on Monday March 12, 2001.

IN THE MATTER OF TRAFFIC STUDY

John Tarantino presented a traffic study for Ashton Subdivision that was initiated for a citizen concerned about the number of speeders traveling through the subdivision. Staff recommendation was that due to the sight distance problems, numerous children playing, and the ability to reach high speeds on Watkins Drive, it is recommended that Ashton be declared an “urban district” and posted with 25 mph speed limit signs. The study referred to the following excerpt of a previous traffic study to support the proposed action in Ashton:

In the past, we have contacted Mr. Steuerwald (County Attorney) regarding the County’s authority to post minimum speed limits on streets in its jurisdiction. His response basically states that the county has the authority to post a speed limit no lower than 35 mph, unless it is declared an “urban district”.

I.C.9-4-1-58(b) “Local authorities in their respective jurisdictions shall determine by an engineering and traffic investigation the proper maximum speed permitted under this chapter for an urban district”.

The staff recommended placing four additional speed limit signs and stated that the new signs will clarify the speed limit to the drivers and help the Sheriff’s Department in enforcement of the area. Commissioner Clappitt moved, per staff recommendation and I.C.9-4-1-58(b), to declare Ashton an “urban district” as deemed by the Engineering Department and to post speed limit signs as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIDGE NO. 167

John Tarantino presented, for execution, the title sheet for Timber Bridge No. 167. It was the consensus of the Commissioners to sign the title sheet for Bridge No. 167 as presented.

IN THE MATTER OF WOODCREEK – CR 200 NORTH

A complaint relative to water standing in front of the Woodcreek Subdivision on County Road 200 North was referred to the Highway Department to review, monitor and to place “High Water” signs in that area.

IN THE MATTER OF SUBDIVISION BOND REVISIONS – MIP-661, MIP-657 AND MIP-711

Walt Reeder presented the following requests for subdivision bond revisions:

MIP-661: Duane Lane and Bob Bowman, based on the on-site inspection of this project the improvements were found to have been adequately maintained for the required one year period and recommend that the maintenance bond be released. Commissioner Clampitt moved, per staff recommendation, to release the maintenance bond for MIP-661 as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

MIP-657: Richard Duncan, the developer through his engineer has requested a release of the performance bond amount and since the required improvements were completed during the fall of 1998, but the bond status change was not processed, the performance bond has remained valid, in an amount larger than the required maintenance bond, for time equivalent to the required maintenance period, therefore, based on an on-site inspection by the Planning and Building Department of the work completed, it is recommended that the performance bond be released and the maintenance bond requirement be waived. Commissioner Clampitt moved to approve the request to release the performance bond and waive the maintenance bond for MIP-657 as recommended by the Planning and Building Director. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

MIP-711: Orville Woody, the developer through his engineer has requested a release of the performance bond amount as the required improvements were completed during the summer of 1999, but the bond status change was not processed, and the performance bond has remained valid, in an amount larger than the maintenance bond required, for time equivalent to the required maintenance period, therefore, based on an on-site inspection by the Planning and Building Department of the work completed, it is recommended that the performance bond be released and the maintenance bond requirement be waived. Commissioner Clampitt moved to release the performance bond and waive the maintenance bond requirement for MIP-711 as recommended by the Planning and Building Director. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. Mr. Reeder stated that he will check if sidewalks are in and if not he will come back next week.

IN THE MATTER OF CONTRACTOR’S COMPLETION AFFIDAVIT – MIP-772

Walt Reeder requested to accept improvements of Contractor’s Completion Affidavit and Inspector’s Certificate of Completion and Compliance for MIP-772: Linda Pyles. Commissioner Clampitt moved to accept the Contractor’s Completion Affidavit for MIP-772 as recommended by the Planning and Building Director. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PARK PLACE SUBDIVISION

Receipt was acknowledged of request from Lewis Engineering on behalf of the Park Place Development requesting a reduction of their bond from the current \$117,000 to \$60,000. Walt Reeder advised that he will check on

this request and report back next week.

IN THE MATTER OF BOND AFFIDAVIT

An affidavit to be paid from the bond of the Hendricks County Building Corporation was presented for equipment, which the Commissioners previously approved in the amount of \$191.25. Commissioner Clampitt moved to forward the affidavit for payment from the bond as recommended by the Engineering Department. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF SPRINT TOWER GENERATOR

John Tarantino presented a draft letter to Indiana Power Service & Supply along with their copy of the signed, three-year agreement to perform the inspection and service preventative maintenance for the Hendricks County generator located at the Sprint Tower site near the Highway Department and advising of the need to contact the Engineering Department in order to unlock the enclosure, that upon completion of the preventative maintenance service performed and receipt of their invoice a claim will be submitted. Commissioner Palmer moved to accept the letter, as presented, to Indiana Power Service & Supply for the three-year service agreement and that President Ostermeier execute the letter. Commissioner Clampitt seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EMERGENCY PAGING SYSTEM

There was discussion of employee training for the emergency paging system, the individuals that should be invited, who should have the access code and of involving the Sheriff office. Engineering Department will send a memo to all departments to decide the training date of February 21 or 22, 2001.

IN THE MATTER OF COUNTY HOME

It was consensus of the Commissioners to conduct the required quarterly inspection and have lunch at the Hendricks County Home on Tuesday, February 20, 2001.

IN THE MATTER OF TOWN HALL FORUM

There was discussion of holding the first Town Hall Forum at Plainfield. It was the consensus of the Commissioners that Commissioner Ostermeier will call Guilford Trustee Mick Hickam and Mary Benson of the Guilford Township Civic Association to set up a date and time in March.

IN THE MATTER OF GUILFORD TOWNSHIP INCOME GUIDELINES

Receipt was acknowledged of the Income Guidelines adopted by the Guilford Township Board on January 4, 2001.

IN THE MATTER OF INTERNAL REVENUE SERVICE

Nancy Marsh reported that the IRS matter has been resolved. and they have declared Hendricks County as free and clear with no interest or penalty,

IN THE MATTER OF CITIZEN COMMENTS - DR. WILLIS PARKER

Dr. Willis Parker expressed thanks for approval of the Park Board request. Dr. Parker requested that all adopted animals be spade or neutered.

IN THE MATTER OF CLAIMS

Commissioner Clampitt moved to approve the claims #206153 thru 206165, #206172, thru 206187, #206190 thru 206496, #101301 thru 101694 and all-manual checks cut for January 2001, as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

NOTE: Commissioner Palmer advised that she will be out of town Thursday thru Monday.
There being no further business the Commissioners’ meeting recessed at 2:05 PM

IN THE MATTER OF TECHNOLOGY BOARD

The Technology Board convened at 2:30 PM with the following in attendance: Commissioners Ostermeier, Palmer and Clampitt, Greg Steuerwald, Stayce McClain, Theresa Lynch, Amy Roberts, Nancy Marsh, John Parsons, Cathy Grindstaff, Clint Stoutenour, David Gaston and Judy Wyeth.

Commissioner Palmer distributed the results of the Technology Board survey. There was discussion of the response to the survey.

Commissioner Clampitt stated that the Commissioners should be the Technology Board and meet each Monday immediately following the regular Commissioners’ Meeting.

Greg Steuerwald responded to an inquiry if legal notice was required in order to establish a Technology Board and notice of meetings, stating that no legal notice is required for forming a board as the board is only an advisory board and that meetings can be a part of the regular Commissioners’ agenda.

Prosecutor Pat Baldwin advised that she has received \$45,000 in grant money and explained the prosecutors computer system. Ms. Baldwin further stated that she got prices and decided which computers and equipment to purchase without the approval of John Parsons, and that she had received the computers within one (1) week after she signed the contract.

John Parsons explained problems created when computers and computer equipment were purchased without consultation of County staff stating that they are often not compatible with the system and requested direction on handling this matter. There was discussion of getting numbers together and approaching the Council for funding, and to encourage Windows 2000 countywide. There was also discussion of the computer problems at the animal shelter that is related to electrical problems.

The Board directed John Parsons to bring figures to the next Technology Board meeting on Tuesday, February 20 that would bring the total County computer system up to standard.

Commissioner Clampitt moved to recess at 3:25 PM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Steven L. Ostermeier

Linda Palmer

ATTEST: _____
Judith Wyeth , Deputy Auditor

John D. Clampitt

