

February 26, 2001

The Hendricks County Board of Commissioners met in regular session at 6:30 PM on Monday, February 26, 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
Gregory E. Steuerwald		Hendricks County Attorney
Nancy Marsh		Hendricks County Auditor
David Gaston		Hendricks County Surveyor
James Adams		Hendricks County Emergency Management Director
Judith Wyeth		Secretary to the Commissioners

Commissioner Ostermeier opened the meeting with a quorum of two, led the Pledge to the Flag and requested Greg Steuerwald to lead a prayer for those who wished to participate.

IN THE MATTER OF SR ROAD 267 - FRANK HART

Frank Hart of 2307 South State Road 267, Plainfield, came forward to request support to connect the passing blister on SR 267, near his home, which he explained with a map. Mr. Hart explained this would be 1,000 feet from full width to full width and advised that this is a state project, however, now that the state is replacing a box culvert on SR 267 this would be the ideal time to connect these blisters as enhancement to the project to improve the traffic flow in this area, as stated in his letter of January 23, 2001, to Indiana Department of Transportation (INDOT) that he presented. Mr. Hart further stated that in a discussion with Ethan Wilson of INDOT, he was advised that the State would be more interested in addressing his concern if the County Commissioners were also interested.

Janie Thompson, 2448 South State Road 267, also expressed concerns stating this project will be taking a large portion of her front yard and the loss of trees will lower the property value of her home and presented pictures of her property location to this state road project.

Greg Steuerwald advised that this is a state project and that the county has no direct involvement in this project. The Commissioners advised that the state will compensate for the loss of trees and of land required for this project, stated they will refer the matter to the County Engineering Department.

IN THE MATTER OF 4-H FAIRGROUNDS – BLEACHERS

Receipt was acknowledged of telephone message from Tim Whicker, Hendricks County Fair Board, requesting the 4-H fairgrounds bleachers issue be continued to the March 5, 2001, meeting.

IN THE MATTER OF PARK BOARD

Bill Harrington, President Hendricks County Park Board, introduced Chuck Leaman to discuss the 5-year master park plan advising that he has met with community leaders in focus committees to establish this 5-year and that they will meet the April 15, 2001, deadline to be submitted to the State.

Receipt was acknowledged of a letter from the Department of Natural Resources (DNR) informing of a meeting to be held Friday, March 2, at Fort Harrison relative to a grant for McCloud Nature Park.

IN THE MATTER OF NATIONAL DAY OF PRAYER

Sharon Monahan presented a request for a proclamation of National Day of Prayer for May 3, 2001, in Hendricks

County and advised that this is the 50th anniversary of the National Day of Prayer. Commissioner Ostermeier read the Proclamation as presented. Commissioner Palmer moved to accept the Proclamation dedicating May 3, 2001, as National Day of Prayer in Hendricks County. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 2-0-0. Ms. Monahan requested use of the Courthouse this year for the service.

IN THE MATTER OF RAILS TO TRAILS - LEGAL AGREEMENT

Receipt was acknowledged of a letter of February 19, 2001, from Marka L. Burke of the Indiana Department of Transportation, along with proposed agreement to provide for legal services for CSX (B&O) Rail Corridor from Marion County Line to Putnam County Line stating that the agreement has been reviewed and approved by INDOT and that the Local Public Agency and the firm of Bose McKinney & Evans LLP are authorized to execute the two copies of this agreement. It was stated, for the record, that they have cancelled the County – Mary Solada contract and transferred the money to this contract. Greg Steuerwald advised that only the President need to sign the agreement. Commissioner Palmer moved to authorize Steven Ostermeier, as President of the Hendricks County Board of Commissions, to sign the agreement for legal services from Mary Solada to Alan Townsend as previously approved by the Commissioners on February 6, 2001. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 2-0-0. Greg Steuerwald further advised that the County does not pay for these legal services.

IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve the claims of February 15 thru March 1, 2001, #101695 thru 102096, #206642 thru 206656, and #206660 thru 207012 as submitted. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF COMMUNITY COLLEGE

Receipt was acknowledged of a letter from Jerry R. Holifield, Superintendent of Plainfield Community Schools, informing of upcoming meetings on February 27 and March 13 to finalize the Post Secondary Education Task Force recommendation relating to the Community College.

IN THE MATTER OF TORT CLAIM

Receipt was acknowledged of a Tort Claim notice received from Nicholas C. Deets of Hovde Law Firm in on behalf of Mr. and Mrs. Robert Maxwell for injuries sustained by Robert E. Maxwell on November 15, 2000.

IN THE MATTER OF WEIGHTS AND MEASURES

Receipt was acknowledged of the February 2001 Weights and Measures Report from Charles Colbert.

IN THE MATTER OF INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (IDEM)

Receipt was acknowledged of letters from Indiana Department of Environmental Management (IDEM) informing the County of:

A permit application from Lastec to construct force main and lift station in Pittsboro;
Hi-40 Mobile Home Park application to renew National Pollutant Discharge Elimination System Permit to discharge into White Lick Creek to the White River in Bridgeport, Hendricks County, which is being reviewed; and
Bethesda Baptist Church application to construct water and sanitary sewer connecting to the Town of Brownsburg.

It was the consensus of the Commissioners to refer the letters to Engineering and Planning.

IN THE MATTER OF SUGAR GROVE MEETINGHOUSE AND CEMETERY

Receipt was acknowledged of a letter of January 11, 2001, from Indiana Department of Natural Resources (DNR) advising that Sugar Grove Meetinghouse and Cemetery, NW corner of CR 700 East and CR 600 South, Hendricks County, Indiana, was entered in the National Register of Historic Places on September 22, 2000. The letter will be referred to the Engineering Department.

IN THE MATTER OF AIC CONFERENCE

Receipt was acknowledged of notice from the Association of Indiana Counties (AIC) that the annual conference has been moved from Evansville to the Westin and new Marriott Hotel in Indianapolis and the date has been changed to October 8-11.

IN THE MATTER OF RECOGNITION OF KATHLEEN HALL

Commissioner Ostermeier read the Certification of Election of Township Trustee of Kathleen Hall as Trustee of Liberty Township in November 1966. Commissioner Palmer moved to recognize and honor Kathleen Hall for her over thirty years of dedicated service to Hendricks County at the Commissioners' Meeting on March 12, 2001.

Commissioner Ostermeier seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF HENDRICKS COMMUNITY HOSPITAL

Commissioner Ostermeier advised that the Commissioners and County Council had joined the Hendricks Community Hospital Board for an informative luncheon at noon today in the hospital conference room.

IN THE MATTER OF EMERGENCY MANAGEMENT

Emergency Director Jim Adams reported on a fuel spill in the northeast portion of Hendricks County on Wednesday, February 21, advising that IDEM and the Health Department were on the scene, that he has met with pipeline companies that are in the county, that they were very cooperative and are working to resolve the problem.

Mr. Adams advised that an emergency evacuation plan for the Government Center is in the works that will be posted in each office and that there will be employee training.

Mr. Adams stated that the emergency warning system will work with fiber optics as that will eliminate any monthly charges and he is working with staff on a list of those who will have access to the warning codes.

Dr. Willis Parker requested a letter of appreciation be sent to each pipeline company that helped with the spill. It was the consensus of the Commissioners that a letter be sent and requested Mr. Adams provide a list of those pipeline companies that should be contacted.

IN THE MATTER OF ANIMAL SHELTER

Dr. Willis Parker requested that as plans for the proposed animal shelter materialize, they establish drains for drainage to reduce labor and maintenance cost using partitions made of a glazed tile, that consideration be given to a

ventilation system that would turn over air four times each hour and that the funds donated by Margaret Hodson could be used for these items. Dr. Parker requested a reduction of euthanasia of animals to be more accountable for tax dollars and of have having veterinarians provide neutering service at time of adoption as this would save time and labor. There was discussion of the process of an animal designated for adoption to be taken to the vet for neutering and that the new owner picks up the animal at the vet and this would save the animal control staff a trip. It was the consensus of the Commissioners to give Dr. Parker authority to check and discuss this matter with the Humane Society and the vets in the County.

Commissioner Ostermeier explained his visit to the Montgomery County animal control facility, which was built at a cost of \$350,000 with an additional \$100,000 for fence and pavement of drives.

Mary Benson stated this cost was reasonable for an animal facility.

IN THE MATTER OF SURVEYOR - DRAINAGE CONCERNS

David Gaston came forward to discuss the problem of handling citizen complaints on drainage and to offer a solution to streamline the procedure by requesting that one person in the Surveyor’s Office be designated to try to resolve drainage complaints. There was discussion that all drainage calls should go to the Surveyor’s Office in order to determine if a legal drain is involved and the best way to resolve the problem. It was the consensus of the Commissioners that the Department of Public Works (DPW) employee go through the Commissioners on all drainage problems and that all drainage problems reported by citizens to the Engineering or Highway Departments be referred to the Surveyor and that the Surveyor then reports directly to the Commissioners to resolve all drainage issues.

IN THE MATTER OF LEGAL ISSUES

Greg Steuerwald advised that he will send a copy of the judgment relative to Brownsburg Patrons that went in the County’s favor all the way to federal court and that the County won in a form similar to the decision the County won on the Ten Commandments. Also, that the court ruled in the County’s favor to not pay the plaintiff’s attorney fees. Mr. Steuerwald congratulated Attorney Andrew Warick, of Hume Smith Gedes Green & Simmons, on the handling of this matter on behalf of Hendricks County and requested a letter of appreciation be sent to Mr. Warick. It was the consensus of the Commissioners to send a letter of appreciation to Attorney Andrew Warick per request of Greg Steuerwald.

Commissioner Ostermeier entertained a motion to recess. Commissioner Palmer moved to recess at 7:50 PM. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 2-0-0.

Steven L. Ostermeier

Linda Palmer

ATTEST: _____
Judith Wyeth, Deputy Auditor

John D. Clampitt

