

May 21, 2001

The Hendricks County Board of Commissioners met in regular session on Monday, May 21, 2001, with a quorum of two (2) Commissioners 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 L. Marsh		Hendricks County Auditor
Roy Waddell		Hendricks County Sheriff
David Gaston		Hendricks County Surveyor
Russ Lawson		Hendricks County Highway Superintendent
Terry Jones		Hendricks County Plan Commission Director
Todd Barker		Hendricks County Planner
Judith Wyeth		Secretary to the Commissioners

NOTE: Commissioner J. D. Clampitt did not attend today’s meeting as he was under the weather.

IN THE MATTER OF ASSESSOR’S CONTRACT

Greg Steuerwald presented the Plexius Group L.L.C. contract for reassessment software and support for the Assessor’s Office to be funded through the reassessment budget and to be installed July 23, 2001. It was consensus of the Commissioners to set aside and request Barb Ford to come down to explain the contract.

IN THE MATTER OF ZA-255/WA01-02: HERITAGE DEVELOPMENT

Todd Barker presented ZA-255/WA01-02: Heritage Development of Indiana LLC, a request for zoning change from R-1: Low Density, Single Family Residential District to R-2: Medium Density, Single Family Residential District on several parcels totaling 47.0 acres in Washington Township, located on the east side of CR 625E, approximately 0.50 mile north of CR 300 South and on the north side of CR 300S, 0.25 mile west of SR 267. Mr. Barker advised that this petitioner had appeared at the April 10 Plan Commission and requested to come back on May

15 to reduce the request by 26.6 acres with self imposed conditions and currently is requesting zoning change for only 22.4 acres. Concerns expressed at the public hearing were higher density in the township, safety and site distance on CR 300S, the increase on schools, tax burden, this parcel should remain R-1 to be consistent with neighboring developments and traffic safety in the area. The self-imposed conditions were to require 100% brick exterior on the front lots, 1,500-foot minimum for one story, 2,000-foot minimum for two story, eight foot of brick on the front of all homes and that the front lots exceed the R-1 minimum standards with no more than 2.5 homes per acre. The staff sends this request with a favorable recommendation, however, the Plan Commission sends this request “without” a recommendation by a vote of 3-1-2. There was discussion of the request, change in acreage, adjacent developments and of the self-imposed conditions. Ben Comer, attorney for the petitioner, stated 105 letters have been sent after reduction in acreage and only three spoke against this zoning request.

Dan Baker of Timber Bend spoke on behalf of Timber Bend Homeowners to request that the area adjoining Timber Bend remain as R-1 to protect their property values. Mr. Comer advised that the front lots exceed the R-1 minimum standards.

Ron Starnes of 6376 East 300 South questioned the lot size width of 90 feet used in this proposed development, which is less than other developments. It was the consensus of the Commissioners to hold this request for the Planning staff to check the ordinance requirements.

Todd Barker came back to report that the current ordinance requires 120 foot lot width and the proposed new ordinance requires 100 feet lot width and that this development was designed under the proposed requirements and does not meet the current requirements which created several more lots on this parcel and that the Plan Commission was not aware of the change in lot size. Greg Steuerwald advised that a decision could be made to go back to the Plan Commission or to go ahead with information provided. Commissioner Ostermeier made a motion to refer this zoning request back to the Plan Commission to verify the lot size. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0. Mr. Baker questioned if new cards and notification would be sent. Mr. Steuerwald stated notification is now and this zoning request will be on the agenda for the June 12, 2001, meeting.

IN THE MATTER OF FIBER OPTIC LINE – DTI DIGITAL TELEPORT, INC.

Kenneth R. Schieler of DTI Digital Teleport, Inc. of St. Louis, Missouri advised they plan to take a fiber optic line around the town of Jamestown and the south side of Jamestown would be on Hendricks County roads. Concerns were expressed if the county, while repairing roads and roadside ditches, were to damage the fiber line. Mr. Schieler advised that most of the line will be placed in private right-of-way stating that if the County cuts the cable in error the County would not be responsible and presented a Hold Harmless Agreement to the County Attorney for the County. There was discussion of requiring the depth to be 42-48 inches. It was the consensus of the Commissioners to refer the contract to the County Attorney and County Surveyor for review and recommendation.

IN THE MATTER OF CITIZEN ADVISORS

Dan Derrick presented a letter suggesting to resolve confusion and issues related to the County computers and animal shelter that a seven-member committee be formed for an Animal Management Board and a five-member committee be formed for Computer Services Technology Board. Commissioner Palmer advised that the letter and information were just received this morning and requested to have time to review. It was the consensus of the Commissioners to review the information for consideration. Mr. Derrick advised that he had requested reports from Quest. Commissioner Ostermeier stated he would talk to a Quest representative relative to the request.

IN THE MATTER OF COUNTY ENGINEER

There was discussion of the appointment of a County Engineer. Greg Steuerwald stated that he had submitted comments in writing and is waiting for the final contract agreement for the Commissioners consideration.

IN THE MATTER OF HUMANE SOCIETY – ANIMAL SHELTER

Merrily Niles advised that the Hendricks County Humane Society is preparing a proposal to combine forces for the new animal shelter and requested to be on the May 29, 2001, agenda to make presentation.

IN THE MATTER OF COMMISSIONERS' CLOCK

Roy Waddell advised that the clock in the Commissioners' Meeting Room is not working.

IN THE MATTER OF HIGHWAY

Russ Lawson advised the Highway Crew has cut the two dead trees on the property line of the 150 acres in order to protect the home of a property owner. Commissioner Ostermeier inquired on the status of culvert on CR 900N and if CR 875 was scheduled to be repaved. Mr. Lawson advised that the culvert on CR 900N, south of Maloney Road, has been replaced and will be repaved when completed, however, CR 875 is not on this list for this year, but will be done in 2002.

IN THE MATTER CONTRACTOR'S COMPLETION AFFIDAVIT – MIP-840: HARDIN

Terry Jones presented a Contractor's Completion Affidavit for MIP-840: Allen Hardin, as all improvements have been completed and inspected and that no maintenance bond was required as it was less than \$1,000. Commissioner Palmer moved, per staff recommendation, to accept the Contractor's Completion Affidavit for MIP-840 as presented. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF COURTHOUSE – CIRCUIT COURT

Leanna Alverson presented a proposal for Circuit Court from Pioneer Restoration to repair and restore four areas of the courtroom along with desks, witness area and wood railing and stated that Bob Carroll recommended that this proposal be accepted for #1 only as this is for the mural and this firm specializes in this type of repair, but to obtain additional quotes for the other areas listed on the proposal. Commissioner Palmer moved, per staff recommendation, to approve and execute the Pioneer Restoration proposal to repair chipped areas on the mural in Circuit Court:

(1) There are areas of damage all over the courtroom of wall down low where it has been hit by chairs. We can go in and touch up these chipped areas. There is a total of (15) chipped areas in need of repair at cost of \$2,100.

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

IN THE MATTER OF FURNITURE/EQUIPMENT – PLANNING

Leanna Alverson advised that Planning and Building needs more file space and requested to order two flat files for subdivision development plans and to fund from the Bond. There was discussion of obtaining additional quotes. Ms. Alverson advised that this is the vendor that has supplied matching files for the Government Center and has always been the lowest. It was the consensus of the Commissioners to forward the request to the Bond Trustees for consideration.

IN THE MATTER OF ENGINEERING - VEHICLE MAINTENANCE

Leanna Alverson presented a draft letter to the Council requesting an additional appropriation of \$3,000 for 01-143-367-vehicle maintenance in Engineering in order to do major repairs to the 1990 International dump truck used by the Department of Public Works. Commissioner Palmer moved, to approve the letter to Council as presented by staff. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 2-0-0. Nancy Marsh stated that advertising for the June Council meeting had already been submitted and that this request would be on the July agenda.

IN THE MATTER OF GOVERNMENT CENTER - SMOKING POLICY

Commissioner Ostermeier stated that concern expressed relative to second hand smoke in the Government Center was a sensitive issue and moved to suspend smoking activities in the smoking lounge of the Government Center until July 1, 2001, in order for the Engineering Department to check on issues of ventilation and that a memo be sent to all employees notifying them of this change. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0. Councilman Kenny Givan suggested that the smoking area remain the same until we have a solution in order to not upset people. There was discussion of trying to resolve the second hand smoke issue; that the original design was not implemented due to the cost; of the guidelines and of contacting the architect to obtain a copy of the original plans. There was discussion that an air filtration firm had contacted the Commissioners to make a presentation at their June 4 meeting. The Engineering Department will research and bring back a recommendation prior to July 1. It was noted that there had been no reports of smelling second hand smoke in the Courthouse from the lounge in the basement of the Courthouse.

IN THE MATTER OF LITIGATION

Commissioner Ostermeier acknowledged receipt of two requests for litigation from the Planning and Building Department.

IN THE MATTER OF FIVE-YEAR MASTER PLAN

Leanna Alverson explained that the Council had tabled funding for the five-year master plan for the 150-acre parcel. Councilwoman Phyllis Palmer stated the Council questioned the \$40,000 request due to discrepancy of survey and requested better communication with the Commissioners. Councilman Kenny Givan stated the Surveyor had advised he could do that at no cost to the County. There was discussion of the need for this master plan; the need for topo and survey; and that the Weihe Survey was requested and funded by the hospital; and that all permits for this

property will need to go thru the Danville Planning Department.

IN THE MATTER OF MILEAGE

Commissioner Ostermeier advised that at the request of the Commissioners, the Council had reviewed the County mileage rate and increased the rate to 32 cents.

IN THE MATTER OF CIRCLE SEVEN

Receipt was acknowledged of the memorandum from Lance D. Ratliff and a letter from Dan Theobald, Executive Director of the Johnson County Development Corporation, requesting a joint appointment of two members to the Workforce Investment Board for the Circle Seven Workforce along with the names for nomination of Barbara J. Moon, Manager of Group Sales Administration Anthem Blue Cross & Blue Shield, and Dick Gaither, President Job Search Training Systems, Inc. Commissioner Palmer moved to nominate Barbara J. Moon and Dick Gaither to serve on the Workforce Investment Board. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF TORT CLAIM – THOMPSON

Receipt was acknowledged of a tort claim from Goodin Orzeske and Stevens for David Thompson for claim of December 19, 2000.

IN THE MATTER OF COUNTY VEHICLES

Receipt was acknowledged of a telephone message from Bliss McKnight offering salvage value of \$2,352.67 less the \$500 deductible for a net of \$1,852.67 for the 1991 Chevrolet Cavalier that was totaled while being driven by an employee of the Engineering Department when rear-ended by another vehicle. It was consensus of the Commissioners to accept the salvage value offered.

IN THE MATTER OF CLAIMS

Commissioner Palmer moved to approve claims #197281 thru 197678, # 107681, and #208934 thru 208948 as presented May 21, 2001. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF ASSESSOR – SOFTWARE CONTRACT

Barb Ford came forward to explain the contract with Plexis for software and support to the Assessor’s Office for reassessment stating that the software will be completed when the manual is completed. There was discussion of meeting the deadline for reassessment. Ms. Ford stated the Council approved the additional funding for this software and the County Attorney had approved the contract also, that she had received a quote from Manatron that was comparable, however, she felt the Plexis was far better. Commissioner Palmer moved, per staff recommendation, to accept and execute the Plexis contract for reassessment software that includes an annual support fee. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 2-0-0.

Commissioner Palmer moved to recess for lunch at 11:10 AM to resume at 1:00 PM with the Technology Board.
Commissioner Ostermeier seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF TECHNOLOGY BOARD

The Technology Board convened at 1:05 PM with the following joining the meeting:

John Parsons, Systems Administrator	Amy Roberts, Treasurer	Barb Ford, Assessor
Janelle Bowman, Computer Department	Clint Stoutenour, Engineering Department	

John Parsons presented a priority list for computer needs that were submitted by the various departments and advised there will be a technology committee meeting on Wednesday, May 23 at 9:30 in the Commissioners’ Meeting Room with Quest, a Council Member and requested a Commissioners attend. Commissioner Palmer volunteered to attend.

Mr. Parsons reported on the Monroe County Plexis agreement and the contract Plexis now has with the county and of the equipment needed; of reviewing software on the open market rather than paying consultants to custom design the County programs; and of hiring personnel to do the work rather than consultants. There was discussion of the cost to hire outside consultants and of hiring additional employees for the Computer Department.

Tom Brenton inquired if we can put computer/software needs out for bids. There was discussion of this possibility.

Amy Roberts stated her new PC will be in and that she will need a printer as she does not have one.

Clint Stoutenour submitted Exhibit “A” for GIS/computer summary request to purchase from the bond with three quotes for 4 designers 1055 CM plotters with DLT Solutions low at \$37,332.00, 5 personal computer systems with Dell low quote at \$8,995.00, and OMS magicolor 330cx Color Pri8nter with Systems Unlimited low at \$3,764.67 for a total of \$50,081.67. Commissioner Palmer moved to approve the GIS Exhibit “A” as presented and forward to Bond Trustees for consideration. Commissioner Ostermeier seconded the motion and the motion was approved unanimously. 2-0-0.

Commissioner Palmer moved to recess the Technology Board at 2:20 PM. Commissioner Ostermeier seconded the motion and the motion was approved unanimously 2-0-0.

Steven L. Ostermeier

Linda Palmer

John D. Clampitt

ATTEST: _____
Judith Wyeth, Deputy Auditor

