

November 5, 2001

The Hendricks County Board of Commissioners met in regular session at 9:15 AM on Monday, November 5, 2001, with a quorum of three (3) Commissioners, in the Commissions’ 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
Roy Waddell		Hendricks County Sheriff
Russ Lawson		Hendricks County Highway Superintendent
Terry Jones		Hendricks County Plan Director
John Ayers		Hendricks County Engineer
Todd Barker		Hendricks County Planning Department
Steve Stoddard		Hendricks County Sheriff Department
Judith Wyeth		Secretary to the Commissioners

IN THE MATTER OF ORDINANCE AMENDING THE HENDRICKS COUNTY SUBDIVISION
CONTROL ORDINANCE BY AMENDING SECTION 2.02 DEFINITIONS

Todd Barker presented TSA 01-01, Ordinance Amending the Hendricks County Subdivision Control Ordinance, by amending Section 2.02 DEFINITIONS and explained this amendment clarifies interpretation. Mr. Barker advised that the Plan Commission held a public hearing on October 9 and now sends this amendment with a favorable recommendation of 5-0-1. There was discussion that exceptions could go to the Plan Commission for consideration. Commissioner Ostermeier asked if there was any public comment. There was no public input. Commissioner Clampitt moved to approve TSA01-01, as previously approved by the Plan Commission, as Ordinance No. 2001-29. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ZA-266/WA01-07: MARVIN AND MADGE WOOD

Todd Barker presented ZA-266/WA01-07: Marvin and Madge Wood, for a change in zoning classification from

C-3: Office Commercial District, to C-2: General Commercial District, of 9.0 acres in Washington Township located on the south side of East Main Street, on the southeast corner of East Main Street and County Road 525 East. Mr. Barker explained Marvin and Madge Wood presently operate a machine shop on this parcel and would like to expand to operate a car sales. Mr. Barker further advised that the Plan Commission held a public hearing on October 9 and sends this zoning request with a favorable recommendation 5-0-1. Lee Comer, Attorney, stated they had worked with the staff on the expanded uses for this parcel. Commissioner Ostermeier asked if there was any public comment. There was no public input. Commissioner Clampitt moved to approve ZA-266/WA01-07 as presented and recommended by the Plan Commission as Ordinance No. 2001-20. Commissioner Palmer seconded the motion and the motion was approved unanimously. 3-0-0.

IN THE MATTER OF ZA-270/WA01-10: MICHAEL A. SCHAEFER

Todd Barker presented ZA-270/WA01-10: Michael A. Schaefer, a request for a change in zoning classification from R-1: Low Density, Single Family Residential District, to R-2: Medium Density, Single Family Residential District, for a 6.00 acre parcel in Washington Township, located on the north side of CR 200 North, 0.50 mile west of CR 800E. Mr. Barker explained this parcel was a part of the Masten Farm and this change will not increase lots, but will improve traffic flow. He further explained there was a public hearing on October 9 and this zoning request comes with a favorable Plan Commission recommendation 5-0-1, subject to the same conditions as ZA-262 that was approved on June 18, 2001. Commissioner Ostermeier asked if there was any public comment. There was no public input. Commissioner Clampitt moved to approve ZA-270/A01-10: Michael A. Schaefer, as presented with conditions approved by the Plan Commission as Ordinance No. 2001-21. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ZA-271/WA01-11: MICHAEL A. SCHAEFER

Todd Barker presented ZA-271/WA10-11: Michael Schaefer, a request for a change in zoning classification from R-1: Low Density, Single Family Residential District, to R-2: Medium Density, Single Family Residential District, for a 1.00 acre parcel located on the west side of CR 800E, 0.50 mile north of County Road 200 North. Mr. Barker advised that this request is to improve traffic flow. He further advised that the Plan Commission held a public hearing on October 9, and comes with a favorable Plan Commission recommendation of 5-0-1. Commissioner Ostermeier asked if there was any public comment. There was no public input. Commissioner Clampitt moved to approve ZA-271/WA01-11: Michael A. Schaefer, as presented and per recommendation of the Plan Commission as Ordinance No. 2001-22. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ZA-272/WA01-12: WESLEY LINK

Todd Barker presented ZA-272/WA10-12: Wesley Link, a request for a change in zoning classification from I-2: Light Industrial District, to C-4: Highway Commercial District, for a 1.83 acre parcel located on the southeast corner of U.S. Highway 36 and County Road 900 East. Mr. Barker explained this request is to bring an existing

motel in conformance with the current zoning classification and to sell trailers. Mr. Barker further stated this request comes with conditions and will be limited to no more than three (3) uses. He stated there was a public hearing held on October 9 and this comes with a favorable Plan Commission recommendation, with conditions, of 5-0-1. Mr. Lee Comer, attorney, advised there was a previous variance approval on this parcel. Commissioner Ostermeier asked if there was any public comment. There was no public input. Commissioner Clampitt moved to approve ZA-272/WA01-11: Wesley Link, per favorable recommendations of the Plan Commission, with conditions as approved at the public hearing, as Ordinance No. 2001-23. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BOISE OFFICE SUPPLIES

Sherry Kiggins of Boise Office Supplies made a brief presentation of their office products. Julie C. Cartright explained the bulk discount the County could receive from office supplies purchased from their firm.

IN THE MATTER OF EMERGENCY MEDICAL SERVICES

Hugh Bain of the Hendricks Community Hospital presented the following request for equipment to be purchased from County appropriated funds in 01-135-339:

Two laptop computers with carrying bags	\$ 1,000.00
Remanufactured portable I.C.D. projector	1,800.00
Airways Defib Manikin	1,300.00
Infant training manikin	600.00
Additional Mass Casualty Tags	300.00
TOTAL	\$ 5,000.00

There was discussion that these items will be used for training 18 affiliates in emergency procedures. Commissioner Clampitt moved to approve the items to be purchased from county funds as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COUNTY INSURANCE

Ken Krohne of Hometown Insurance requested to quote the County liability insurance on a competitive basis. There was discussion of being careful when taking quotes for insurance that the low quote covers everything adequately. It was the consensus of the Commissioner to allow Mr. Krohne to look at County liability policies and to submit a quote.

Rich Jensen of Stevenson and Jensen advised that his agency had written the County liability insurance for thirty years and presented a letter and two checks, in the amount of \$13,804 .00 and \$690.20 from Bliss McKnight for refunds from Governmental Interinsurance Exchange (GIE), which is the accrued amount of interest on the previous Guaranty Capital Share balance.

IN THE MATTER OF TELEPHONES

Paul Johnson of Johnson Associates came forward to request a meeting with County officials and Ameritech to resolve telephone-billing issues. Mr. Johnson will work with Ameritech to set up a date and time for this meeting.

IN THE MATTER OF ZONING ORDINANCE

Terry Jones presented the new proposed zoning ordinance and requested, if approved, to make the effective date

immediately. Mr. Jones also requested the Shopping Center (SC) section be sent back to the Plan Commission for further discussion and also stated the zoning map needs to go to the Plan Commission for a public hearing. Greg Steuerwald advised the map needs to conform to the zoning ordinance. Mr. Jones advised issues and concerns had been addressed and resolved at the October 2 Plan Commission public hearing except the Shopping Center and portions that also pertain to the Storm Drainage, Erosion, and Sediment Control Ordinance (SDESO). Mr. Jones further advised he would also like to work with the "Old Town" classification with the small towns that are under the jurisdiction of the County. There was discussion of the amenities section. Mary Benson stated they will meet to address the amenities. Rick Myers questioned agriculture use in this proposed Zoning Ordinance. There was discussion of the Plan Commission looking at the non-conforming uses in the Zoning Ordinance and to give a closer look at this request for agriculture use. It was the consensus of the Commissioners to review the agriculture definitions and non-conforming uses. There was discussion of the zoning map. Commissioner Clampitt expressed appreciation to all the committees that worked on this Zoning Ordinance and moved to adopt the zoning ordinance with the exceptions taken out in order to review SDESCO, zoning map, amenities, agriculture definition, tree preservation and the SC, with these to be brought back at a later date and to be effective today upon execution by the Commissioners as Ordinance No. 2001-24. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COUNTY NEEDS

Sheriff Roy Waddell introduced developer Eric Tauer, Tammy Wyse of RQAW, Al Bennett of Bennett Associates and Bill Shepler of PMSI. Mr. Tauer discussed the possible trade of acreage adjoining the fairgrounds for a portion of the 150-acre parcel. Bill Shepler presented proposed plans for the jail and animal shelter on the parcel where they are currently located. There was discussion of the site and plans. Commissioner Clampitt moved to move forward on this project and set up a special joint meeting on November 26, 2001, at 3:00 PM with the Commissioners and Council to discuss the plans and funding for this project. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. Al Bennett advised that RQAW has the most experience in designing correctional facilities. There was discussion of this joint meeting, of contract needs and the process.

IN THE MATTER OF HIGHWAY

Russ Lawson presented quotes for a sander, the lowest being from Clark Equipment in Linden, and requested to purchase this sander stating he has sufficient funds in his budget. Commissioner Clampitt moved to approve the purchase of a sander for the Highway Department from Clark Equipment as the lowest quote received. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Russ Lawson requested dates to advertise, receive and open bids for highway supplies for 2002. Commissioner Clampitt moved that Greg Steuerwald and Russ Lawson work out a timetable and date for advertising for

bids/quotes, of opening and awarding bids/quotes for Highway supplies. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF EASEMENT FOR GILBERT L. & MARY A. FENWICK

John Ayers presented a Property Easement for Gilbert L. and Mary A. Fenwick in Guilford Township for their request for encroachment in the County right-of-way for septic purposes. Commissioner Clampitt moved to allow encroachment in right-of-way for septic purposes as requested, per staff recommendation. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MIP-630: RONALD SHORT

Terry Jones presented request for forfeiture of a Letter of Credit for MIP-630: Ronald Short, in order for the County to complete the work as Ronald J. Short and Becky S. Short have failed to perform the work indicated, according to specifications, for this minor plat located on the north side of CR 150 South and County Road 525 West. Commissioner Clampitt moved to execute the letter-requesting forfeiture of the Letter of Credit for MIP-430: Ronald Short, due to no action and as recommended by the Planning Director. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REEL CREEK, SECTIONS 1 & 2

Terry Jones presented a request to release the maintenance bond upon receipt of a surety to cover the asphalt repairs, valid for a period of one (1) year, in the amount of \$10,000, that this surety will be for Sections 1 and 2 and that this development is subject to a Legal Drain assessment. Commissioner Palmer moved to release the maintenance bond upon receipt of surety, in the amount of \$10,000 for one (1) year, for Reel Creek Section 1 as recommended by the Planning Director, and to amend the motion to include both Sections 1 and 2 of Reel Creek as presented. Commissioner Clampitt seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF MASTEN POINT REPLAT OF LOT 2

Terry Jones presented a request stating that based on an on-site inspection by the Planning Department of the work completed to date that the performance bond requirement be released and since the maintenance bond would be under \$1,000 to waive this requirement for Masten Point, Replat of Lot 2. Commissioner Clampitt moved to approve the bond requests for Masten Point as recommend by the Planning Director. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CONTRACTOR'S COMPLETION AFFIDAVIT: MIP-851

Terry Jones presented Contractor's Completion Affidavit for MIP-851: Ed Chambers, for execution. Commissioner Clampitt moved to accept the Contractor's Completion Affidavit for MIP-851: Chambers, as recommended by the Planning Director. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CONTRACTOR'S COMPLETION AFFIDAVIT MIP-799: SNYDER

Terry Jones presented Contractor's Completion Affidavit for MIP-799: Nancy Snyder, for execution. Commissioner Clampitt moved to accept the Contractor's Completion Affidavit for MIP-799: Nancy Snyder as

recommended by the Planning Director. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CANAK PLACE, SECTION 2

Terry Jones presented a request for Canak Place, Section 2, release of the performance bond in favor of a maintenance bond in the amount of \$26,700 and that this development is subject to a Legal Drain Assessment. Commissioner Clampitt moved to approve the release of the performance bond in favor of a maintenance bond for Canak Place, Section 2, as recommended by the Planning Director. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF GOVERNMENT CENTER – MINI-BARN

John Ayers requested a 10’ X 16’ mini barn to use for storage of lawnmowers and outdoor equipment for the Government Center. There was discussion of looking at another place to store mowers in other buildings. John Ayes presented three quotes for lawnmowers, as previously requested by Peggy Nichols for the County Home, and recommended one with electric start and that was self-propelled. There was discussion to take these quotes to Peggy Nichols for review and that the County Engineer determine the final decision.

IN THE MATTER OF WEST CENTRAL SOLID WASTE

Receipt was acknowledged of an invoice from West Central Solid Waste for recycle expenses. Commissioner Clampitt moved to forward the claim to the West Central Solid Waste Board for review with recommendation that this be paid from the Special Projects Fund. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BOND AFFIDAVIT BOND

Receipt was acknowledged of affidavits from Indy’s Engineering Supplies for engineering supplies and Beam, Longest, and Neff for the GIS lease that have both been approved by the Bond Trustees. It was the consensus of the Commissioners to forward both affidavits to the bond bank, Firth-Third, for payment.

IN THE MATTER OF HIGHWAY DEPARTMENT

John Ayers presented estimates for a space heater for the Highway Department and advised this could be funded from maintenance line. Commissioner Clampitt moved to approve the request for a space heater as requested by staff. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ARCHIVING OLD RECORDS

John Ayers explained the history of attempting to archive the old County records. There was discussion of these old records. It was the consensus of the Commissioners to get quotes from the state list for preserving old records.

IN THE MATTER OF LITIGATION REPORTS

Terry Jones presented several litigation reports for review.

IN THE MATTER OF PLANNING

Terry Jones presented a letter of October 25, 2001, from James P. Klausmeier commending the Plan Commission for adopting the procedural rule to require Transportation Impact Studies and requested to discuss this

process with staff. There was discussion to review this matter.

Terry Jones advised that the Planning and Building Department is working on a study of fee increases for permits in that department and will present an updated study when complete.

IN THE MATTER OF AVON BAND AND TRI WEST BAND

Receipt was acknowledged of the Avon High School Band receiving first place in Class B and Tri West High School Band placing second in Class D of State Band competition. It was the consensus of the Commissioners to recognize the band members with a proclamation to each member for their achievement in winning high honors in their respective division in state competition.

IN THE MATTER OF COURTHOUSE ROTUNDA - GILLESPIE CHRISTMAS PARTY

Receipt was acknowledged of a request from Gillespie Florist to hold their employee Christmas party and pitch-in dinner in the Courthouse rotunda on Saturday, December 8, 2001. Commissioner Clampitt moved to allow use of the rotunda for the Christmas party of Gillespie Florist for their employees, subject to costs incurred by us and that they contact Elvin Cassity to work out the details. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. There was discussion of working on a policy for charges and use of the Courthouse rotunda. The Engineering Department will work with Elvin Cassity on this policy.

IN THE MATTER OF MINUTES

Commissioner Clampitt moved to approve the minutes from the October 1, October 8, and October 15, 2001, meetings with corrections. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Clampitt moved to approve claims #47957 thru 47991, #212989 thru 212998, #213001 thru 213298, #213305 thru 213315, #112217 thru 112614 and all-manual checks cut during the month of October 2001 as presented on November 5, 2001. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Clampitt moved to recess the meeting for lunch at 12:20 PM and to return for the Technology Board at 1:15 PM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TECHNOLOGY BOARD

The Technology Board met at 1:15 PM with the following joining the meeting:

John Parsons, Systems Administrator	Barbara Ford, Assessor
Pat Baldwin, Prosecutor	Doug Morris, Computer Department
Cinda Foster, Deputy Auditor	Lana Pedigo, Computer Department

John Parsons presented quotes for software for the gavel system for the courts. Lana Pedigo explained the jury, Manatron integrated spreadsheet for gavel 1099. There was a discussion of systems and funding. Commissioner Clampitt moved to approve the request for gavel and to fund from the budget for \$60,000. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

There was discussion of lawyers having access to legal information.

Nancy Marsh stated that HB1499 mandates release of data, tax supplication on the reel tape and will need Commissioner’s authorization. It was the consensus of the Commissioners to have John Parsons handle this matter.

Barbara Ford explained the progress on reassessment.

Nancy Marsh advised she was looking at payroll, accounting and tax software for 2002.

There was discussion of a replacement program for all PC’s in the County.

John Parsons stated some e-mail is not being picked up by the recipient in a reasonable time and inquired how to handle. It was the consensus of the Commissioners that John Parsons delete unacknowledged e-mail.

There was discussion of reviewing the log of County employee e-mail use on County computers. The Commissioner requested John Parsons to provide an employee e-mail log for review.

Terry Jones explained a report and form used by the Planning and Building Department and stated that with the Exit Interview with the State the State Board of Accounts suggested using a standard Countywide form for reports.

John Parsons stated we have not received the Plexis software as it is not ready. It was the consensus of the Commissioners that John Parsons contact Plexis for a time frame.

John Parsons discussed quotes for e-mail to the Courthouse and Probation. It was the consensus of the Commissioners that John Parsons contact the state for CPA listing.

Commissioner Clampitt moved to recess the Technology Board at 2:30 PM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Ostermeier reopened the Commissioners Board Meeting at 2:30 PM.

IN THE MATTER OF MAIL HANDLING

There was discussion of handling letters due to recent anthrax findings in the mail. It was the consensus of the Commissioners to send information packets for mail handling to the Sheriff Department, Department of Health and Emergency Management for review.

Commissioner Clampitt moved to recess the Commissioners meeting at 2:40 PM. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

Steven L. Ostermeier, President

Linda Palmer, Vice President

ATTEST: _____
Judith Wyeth, Deputy Auditor

John D. Clampitt, Member

