



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE OCTOBER 10, 2023 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, October 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
Greg Steuerwald	County Attorney
R. Todd McCormack	Executive Director
Mila M. Shaffer	Administration and Public Affairs
Nancy Marsh	Auditor
Jack Sadler	Sheriff
Dawn Mayhood	Treasurer
Kevin Cavanaugh	Facilities Manager
Tim Dombrosky	Planning & Building Director
Kim Galloway	Assistant Engineer
Jim Mardis	Regional Sewer Director
Erin Hughes	Human Resources Administrator
Curt Higginbotham	Highway Department Superintendent
Joe Percy	Highway Department Assistant Superintendent
Billy Staley	Veterans Service Officer
Mark Chmielewski	Government Center Security Deputy
Krista Click	Health Department Administrator
Ginger Harrington	Environmental Health Team Lead Septic
Debbi Fletcher	EMA Director
Ryan Lemley	Parks & Recreation Superintendent
Nicki Lawson	Assessor (Attended Remotely)
Rick Morphew	Coroner (Attended Remotely)
Dan Chubb	Chief Deputy Coroner (Attended Remotely)
Catherine Haines	Court Administrator (Attended Remotely)
John Ayers	Engineer (Attended Remotely)
Terry Benton	Highway Department Office Manager (Attended Remotely)
Jarod Springman	Highway Department Asset Coordinator (Attended Remotely)
Doug Morris	I.T. Director (Attended Remotely)

PLEDGE TO THE FLAG, PRAYER, AND DETERMINATION OF A QUORUM

Commissioner Palmer opened the Meeting at 9:03 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison. Commissioner Dawes gave a brief prayer for those who wished to participate.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the Minutes of the September 12, 2023 Joint Commissioners' and Council Meeting and of the September 26, 2023 Commissioners' Meeting as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Payroll Check Numbers 110579-110580, Direct Deposit Check Numbers 239759-240284 and Budgetary Claims presented from the Auditor's Office for the period beginning September 28, 2023 and ending October 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 ORDINANCE NO. 2023-28 ONSITE SEWAGE SYSTEM ORDINANCE

Krista Click reported the group met and discussed the proposed revisions to Ordinance No. 2023-28 Onsite Sewage System Ordinance and presented the Ordinance with their recommendations and requested approval. Krista Click stated the group recommended the following changes in addition to the ones presented at the September 12, 2023 Commissioners' Meeting:

- Include a date to make it clear the secondary septic field easement is not retroactive and does not apply to lots previously subdivided;
- State the secondary septic field easement must be provided rather than may be provided;
- Remove the statement, "Any additional information deemed necessary by the Health Officer", in all three locations under permit submittal requirements.

Commissioner Palmer opened the Public Hearing at 9:07 AM for Ordinance No. 2023-28 Onsite Sewage System Ordinance. Carl Camacho, 3553 E. County Road 1000 N. in Pittsboro, requested the Commissioners void the secondary septic field easement requirement from existing lots if they decide to remove the requirement for future lots to ensure they are held to the same standards. Commissioner Palmer closed the Public Hearing at 9:09 AM.

Commissioner Palmer thanked those that served on the group to discuss the revisions. There was discussion amongst the Commissioners and Krista Click regarding the Ordinance. Commissioner Gentry stated he could not vote for the recommended revisions due to the secondary septic field easement being required. Commissioner Palmer stated she understands and respects the fact that the majority of Commissioner Gentry's district is affected by septic systems. Commissioner Dawes inquired what would need to be done if the County decided to only follow the State standards and not go beyond that. Krista Click advised the Ordinance would need revised to remove the extra items that are stricter than the State standards.

Commissioner Gentry moved to adopt the Ordinance using the State standards and to remove the secondary septic field easement requirement from the Subdivision Control Ordinance. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0. Krista Click will revise the Ordinance.

IN THE MATTER OF EMPLOYEE SAFETY MANUAL

John Parmley, EPIC Insurance, presented an Employee Safety Manual Policy to meet OSHA's requirements and recommended it be adopted by and supported by the Commissioners for all departments. John Parmley stated it's a working document and some departments may go above and beyond what's in it, which is fine, but this policy would cover the base items required by OSHA.

Curt Higginbotham advised he and John Ayers have some concerns and requested the Highway Department be allowed to use the manual they have developed because it works for them. Curt Higginbotham stated theirs is also a working document that is subject to change.

There was discussion amongst the Commissioners, Greg Steuerwald, Curt Higginbotham, and John Parmley regarding the matter. John Parmley advised what Curt Higginbotham has created is needed and has some policies above the required OSHA ones in the manual he is proposing, but it does not cover all items required by OSHA. Curt Higginbotham stated he cannot comply with the countywide manual immediately due to some language

requiring certifications for equipment operators but not defining what that means and stated there is conflicting information between the two manuals. Greg Steuerwald stated the County needs to be consistent and the County needs to be in compliance with their own policies or it could become an issue of liability. Curt Higginbotham stated if adopted today, he would need some time to get training and certifications completed. John Parmley advised OSHA does not define what certification means. Curt Higginbotham suggested if it isn't defined then it should be removed from the manual. John Parmley stated it could not be removed as it is required by OSHA. Commissioner Dawes pointed out the proposed manual does not list every department and they need to all be listed and inquired if all employees includes elected officials, judges, courts, etc. John Parmley stated if they are an employee of the County, including elected officials and are not State paid, they would be part of this policy. Ryan Lemley requested the Parks Department be kept in mind for exemption as well as they are listed in the proposed manual and he has to continue operations. Greg Steuerwald stated there is a concept in Indiana law that if an ordinance, policy, etc. contains a list and you are not named in the list, it is presumed the terms would not apply to you. Curt Higginbotham recommended the countywide manual cover OSHA 1910 only and a supplemental policy for OSHA 1926 where certain policies are dealt with for departments that operate equipment.

Commissioner Dawes moved to table the matter to allow time for Todd McCormack, John Parmley, and Curt Higginbotham to compare the two manuals. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Dawes advised anyone else wanting to review the manual may do so and submit any questions/concerns they might have to Todd McCormack or Erin Hughes.

IN THE MATTER OF FAMILY PROMISE HUD EMERGENCY SOLUTIONS GRANTS

Julie Randall, Family Promise, presented the Indiana Housing & Community Development Authority Emergency Solutions Grants Certification of Local Approval and requested approval.

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

IN THE MATTER OF INVOICE CLOUD PROPERTY TAX PAYMENT SYSTEM AGREEMENT

Dawn Mayhood presented the Invoice Cloud Biller Order Form and Biller Agreement for a new tax payment system effective January 1, 2024 and requested approval. Dawn Mayhood reported they have continuous issues with the current system and introduced the Regional Director of Invoice Cloud, Adam Ek, from Brownsburg.

There was discussion amongst the Commissioners, Dawn Mayhood, and Adam Ek regarding the matter and how non-user friendly the current payment system is. The new system has the capability to send tax bills electronically and send reminder notices to those that sign up to receive electronic notices.

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

IN THE MATTER OF REQUEST FOR QUALIFICATIONS FOR BRIDGE NO. 237 CONSTRUCTION INSPECTION

Kim Galloway presented the Request for Qualifications for Bridge No. 237 Construction Inspection and requested approval to post on the INDOT website.

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

IN THE MATTER OF AMS MECHANICAL SERVICES PROPOSAL FOR MAINTENANCE AND REPLACEMENT

Kevin Cavanaugh presented the AMS Mechanical Services Proposal for \$79,985.33 for maintenance and replacement of HVAC units at the current Probation building and requested approval.

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

IN THE MATTER OF COMMENTS FROM THE FLOOR

James Murphy, 10726 N. State Road 267 in Brownsburg, reported he was at the first Commissioners' Meeting in September where there was a discussion about farm equipment getting through an area near Ronald Reagan Parkway. James Murphy advised he attended an earlier presentation regarding the project where the consultant stated the intersection of CR 900 E. and 750 N and the intersection of CR 900 E. and 700 N. would remain open. James Murphy stated those intersections are currently closed and advised he met with Brownsburg Fire Territory last week and understands there is a promise out now that it will be done by October 30, 2023.

Commissioner Dawes advised accommodations have been made to allow farmers in the area to get through but the intersections are not open to the general public yet.

James Murphy advised his concern is the fire department being able to get through for emergency services and stated the fire department is doing all they can.

Jim Mardis reported IDEM is requiring all employees to watch a 10-minute training video on water quality and requested it be added to the onboarding process in BambooHR for all new hires.

There was discussion amongst the Commissioners, Greg Steuerwald, and Jim Mardis regarding the matter and if the IDEM requirement was for all employees or only employees in certain departments. Jim Mardis stated it was his understanding it applied to all employees. Greg Steuerwald requested he be given a copy of the requirement.

Commissioner Dawes moved to approve adding the IDEM training video to BambooHR for new hires as requested. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Jeff Pell, Purdue Extension Director, reported they have filled the administrative assistant and youth educator positions, but now have a program assistant position open.

IN THE MATTER OF ELECTED OFFICIALS

Nancy Marsh presented a certificate of appointment and oath of office for Garen Carnes, Alcoholic Beverage Board appointee, and requested the Commissioners' signatures so she could file it with the Clerk.

IN THE MATTER OF BROWNSBURG TOWN HALL MEETING FOR THE PARKWAY

Commissioner Dawes reported they did meet with the HOA of Hession Fields regarding their proximity to the Ronald Reagan Parkway and advised the issues they've brought forward won't be resolved to some's satisfaction but stated the County will do some things that will help solve some of them. Commissioner Dawes suggested the Commissioners be prepared.

Commissioner Palmer reported John Ayers has stated more than once that the developer was well aware of the planned path of the Ronald Reagan Parkway. Commissioner Dawes stated that is correct.

There was discussion amongst the Commissioners and Kim Galloway regarding the matter. Commissioner Gentry inquired if it was Commissioner Dawes' opinion that the homeowners were not informed by the developer. Commissioner Dawes responded it involves the developer, the buyer, the seller, and the realtors and was a multifaceted communication issue. Commissioner Dawes advised they want a tall concrete wall constructed, like the ones around 465, but stated that is probably unrealistic from many standpoints. Commissioner Dawes stated the Parkway will be further away from their homes once the construction is finished and the dirt and construction materials are moved. Kim Galloway advised John Ayers stated the design is appropriate and safe, double checked the guardrails, and sound barriers weren't warranted when studies were conducted.

IN THE MATTER OF AUCTION AT OLD JAIL

Kevin Cavanaugh reported the online auction for items in the old Jail ends today and advised there has been a lot more interest in items than he expected. Kevin Cavanaugh requested extra time for winning bidders of larger items to get them removed, specifically the jail cells.

It was the consensus of the Commissioners to allow the extra time for removal as requested.

IN THE MATTER OF NEW HIGHWAY DEPARTMENT FACILITY

Kevin Cavanaugh thanked Commissioner Dawes for his comments and support during the October 3, 2023 Council Meeting and stated the Council has firmly set the budget for the new facility at \$18 million. Kevin Cavanaugh stated it cannot be built at the new site for this price and advised he would be back with more information on remodeling the current site and will request further direction from the Commissioners.

Commissioner Dawes stated we know what the Council is willing to spend and wants to go on record that he does not think we can get what we need as a County for that amount. Commissioner Dawes advised he fully supports doing something at the new site, but if we have to look at remodeling the current site, look into it.

Commissioner Palmer requested a ballpark figure of what it would cost to remodel the current site and stated she has asked for that from the beginning. Commissioner Palmer agreed with Commissioner Dawes that it would be nice to use the new site but there are restraints now that they didn't know existed before. Commissioner Palmer stated she recalls Kevin Cavanaugh offering alternate ways of funding and that's not been accepted.

Kevin Cavanaugh advised he doesn't know if it would be worth the cost to have an estimate done. Kevin Cavanaugh stated his personal opinion is we can't build 100% of what we need at the new site for \$18 million and it would be fruitless to try. Kevin Cavanaugh advised he thinks they will be focused on the existing site and trying to work that into the existing budget.

IN THE MATTER OF RED ENVELOPE TRAINING AND PERFORMANCE EVALUATIONS

Todd McCormack requested the Commissioners set a date for an Executive Session to conduct performance evaluations.

Commissioner Palmer stated she was available the afternoons of October 24th and 25th and thinks this will be a new experience using Red Envelope and BambooHR and will need Todd McCormack's help. Commissioner Dawes stated he could make October 24th work and Commissioner Gentry stated he would do his best to be there.

Commissioner Palmer inquired if the Commissioners are going to be responsible for setting the salaries of the direct reports. Todd McCormack advised they are responsible for distributing the performance based portion of their salaries.

There was discussion amongst the Commissioners, Todd McCormack, and Nancy Marsh regarding the matter and the 1% the Council has given to be distributed for employee performance. Commissioner Palmer inquired if the Commissioners could give 1% to each direct report if they chose too. Todd McCormack stated they could and advised 1% of the department's total wages goes into a pool to distribute amongst the employees based upon their performance. Todd McCormack stated one employee could be given the entire pool allocation for their department if they wanted to. Nancy Marsh stated she spoke with Councilman Wathen last week about having Department Heads hold 1% of their salary back and distribute the rest to their staff. Nancy Marsh confirmed the entire department pool allocation could be given to one employee if they wanted to and nothing given to the remaining department staff. Nancy Marsh stated the Red Envelope training and the Auditor's Office payroll do not line up and advised she is proceeding with payroll as usual because it has to be in Gateway and will have to go back in and change every single person's wage afterwards to add in the performance portion.

IN THE MATTER OF CENTER VALLEY CEMETERY AND LAND

Greg Steuerwald stated he double checked the statute and the County could put the land up for sale but cannot give the land to Center Valley Cemetery because they do not qualify as an entity to where the Commissioners can donate land. Greg Steuerwald advised he has explained this to I.E. Lewis.

IN THE MATTER OF SECURITY AWARENESS TRAINING

Doug Morris reported security awareness training has been done inconsistently in the past but is required by our cyber insurance and advised he has started the process of implementing the State paid training that will need to

be completed by all employees.

Doug Morris advised he will be out of the office on October 24, 2023 and would need to conduct his performance evaluation via Teams or at another time.

IN THE MATTER OF COMMISSIONERS

Commissioner Palmer reported the Commissioners have a Regional Sewer Board Meeting followed by a Workshop with HRH for lunch and a tour of the new orthopedic center following the Commissioners' Meeting.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

CHECKS RECEIVED

- | | | |
|-------------|-----------------------------|-----------------------|
| 1. \$351.00 | Leadership Hendricks County | Lease of office space |
|-------------|-----------------------------|-----------------------|

STAFF REPORTS RECEIVED


1. Receipt acknowledged for the Engineering Department Report of October 10, 2023 from John Ayers.
2. Receipt acknowledged for the Facilities Department Report of October 10, 2023 from Kevin Cavanaugh.
3. Receipt acknowledged for the Executive Director's Report of October 10, 2023 from Todd McCormack.
4. Receipt acknowledged for the I.T. Department Report of October 10, 2023 from Doug Morris.
5. Receipt acknowledged for the HR Report of September 23, 2023-October 6, 2023 from Erin Hughes.
6. Receipt acknowledged for the Highway Dept. Report of September 11, 2023-September 15, 2023, September 18, 2023-September 22, 2023, and September 25, 2023-September 29, 2023 from Curt Higginbotham.
7. Receipt acknowledged for the EMA Report of September 25, 2023-October 6, 2023 from Debbi Fletcher
8. Receipt acknowledged for the Parks & Recreation Report of October 5, 2023 from Ryan Lemley.


CORRESPONDENCE RECEIVED

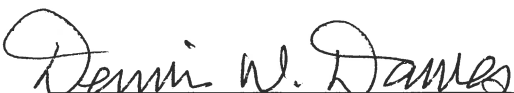
1. Letter from Travelers regarding Meredith Iliff claim.
2. Letter from White River Alliance regarding White River Report Card.
3. Agencies Early Coordination from INDOT for Designation No. 2100191.

IN THE MATTER OF ADJOURNMENT

Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:34 AM on Tuesday, October 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