



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE NOVEMBER 28, 2023 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, November 28, 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
John Ayers	Engineer
Kevin Cavanaugh	Facilities Manager
Doug Morris	I.T. Director
Catherine Haines	Court Administrator
Dr. David Stopperich	County Health Officer
Krista Click	Health Department Administrator
Tim Dombrosky	Planning & Building Director
Erin Hughes	Human Resources Administrator
Mark Chmielewski	Government Center Security Deputy
Curt Higginbotham	Highway Department Superintendent
Chad Boruff	Chief Probation Officer
Brian Day	Assistant Chief Probation Officer
Ryan Lemley	Parks & Recreation Superintendent
Nicki Lawson	Assessor (Attended Remotely)
Michael Manning	Magistrate (Attended Remotely)
Kim Galloway	Assistant Engineer (Attended Remotely)
John Gramling	I.T. Application Support Specialist (Attended Remotely)
LaDonna Hughes	Animal Shelter Supervisor (Attended Remotely)
Terry Benton	Highway Department Office Manager (Attended Remotely)

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

Commissioner Palmer opened the Meeting at 9:05 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 November 14, 2023 Commissioners' Meeting and of the November 14, 2023 Commissioners' Executive Session 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 Number 110583-110586, Direct Deposit Check Numbers 241351-241891, and Budgetary Claims presented from the Auditor's Office for the period beginning November

16, 2023 and ending November 29, 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 OPENING BIDS FOR 2024 HIGHWAY DEPT. PRODUCTS & SUPPLIES

Commissioner Palmer closed the bids for the 2024 Highway Department Products and Supplies at 9:12 AM. John Ayers proceeded to open and read aloud the names of vendors who submitted bids (some bid amounts were also read) and advised any individuals interested in reviewing the bids in full could proceed to Meeting Room 2 with Curt Higginbotham.

VENDORS	ASPHALT	FUEL	PAVEMENT MARKING	PIPE	STONE
Accurate Striping			✓		
Asphalt Materials	✓				
CivilCon				✓	
Co-Alliance		✓			
E3bridge				✓	
Hanson Aggregates					✓
Harsco Environmental					✓
Howard Companies	✓				
Jackson Oil & Solvents		✓			
Levy-Whitesville Mill Service					✓
Lincoln Park Stone					✓
Martin Marietta					✓
Metal Culverts				✓	
Milestone	✓				
Parke County Aggregates					✓
Pavement Solutions	✓				
Petroleum Traders		✓			
Putnam County Aggregates					✓
S&G Excavating					✓
St. Regis Culvert				✓	
US Aggregates					✓

John Ayers stated the bids would be reviewed and recommendations presented at the next meeting.

IN THE MATTER OF BRIDGE NO. 290 INTERLOCAL AGREEMENT & RESOLUTION

John Ayers presented the Bridge No. 290 Interlocal Agreement and Resolution with the Town of Avon and recommended approval. John Ayers reported the Town will be responsible for funding the items they wish to be included in the project by paying for them in two installments, one in 2024 and one in 2025.

Commissioner Dawes moved to approve the Resolution with Agreement as recommended. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Ordinance No. 2023-45.

**IN THE MATTER OF UPDATES TO STATE LAW ADDRESSING
HEALTH BOARD APPOINTMENTS**

Eric Oliver, Health Board Attorney, presented the updated statute regarding Health Board appointments and advised the new statute states the Board shall consist of seven members; five members appointed by the Commissioners, one member appointed by the Council, and three recommendations to the Commissioners from

the largest Town to choose one from for the final member. Eric Oliver recommended the County implement the statute with the three appointments that renew on December 31, 2023 by resolution and have the Commissioners appoint one, the Council appoint one, and the Town submit their recommendations for the last one.

There was discussion amongst the Commissioners, Dr. David Stopperich, and Eric Oliver regarding the matter and the eligibility stipulations for the members. Eric Oliver advised the three members with terms expiring are interested in being reappointed. The Commissioners thanked Eric Oliver for his time and for bringing the updates to their attention.

IN THE MATTER OF INDOT 5307 & 5311 QUARTERLY FUNDING FOR LINK

Pat Cockrum and Jamie Howard, LINK/Sycamore Services representatives, presented a revised 2nd quarter 5307 funding voucher, a 3rd quarter 5307 funding voucher, and a 3rd quarter 5311 funding voucher and requested approval.

Nancy Marsh advised the documentation had been reviewed by her office and no issues were found.

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

IN THE MATTER OF ZA 511/23: BRIAN MOTTER

Tim Dombrosky presented an ordinance to amend the zoning map of Hendricks County from AGR/Agricultural Residential District to GB/General Business District, commonly known as ZA 511/23: Brian Motter, S7-T15N-R2W, Marion Township, 2 parcels totaling 14.63 acres, located at 8081 W. Highway 36, Coatesville, IN. Tim Dombrosky advised the Plan Commission voted unanimously 5-0 during their November 14, 2023 Public Hearing to send an unfavorable recommendation for rezoning to the Commissioners. Tim Dombrosky reported there were remonstrators present at the Hearing.

Commissioner Gentry moved to adopt the unfavorable recommendation of the Plan Commission and deny the request for rezoning. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0. The Commissioners thanked Tim Dombrosky for the documentation submitted by staff with this request.

IN THE MATTER OF CONSTRUCTION MANAGER AS AGENT AGREEMENT

Kevin Cavanaugh presented the C.H. Garmong & Son, Inc. Master Services Agreement for \$75,000.00 plus expenses for Construction Manager as Agent for on-call services and the new Highway Department Facility and recommended approval.

There was discussion amongst the Commissioners, Kevin Cavanaugh, and Garmong regarding the matter.

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

IN THE MATTER OF AVERHEALTH MEMORANDUM OF UNDERSTANDING

Chad Boruff presented the Averhealth Memorandum of Understanding (MOU) to provide comprehensive drug testing for the Probation Department and requested approval. Chad Boruff advised the fees involved are within their current budget and stated fees will be assessed through the courts going forward to fund the testing.

Commissioner Gentry moved to approve the MOU as presented. Commissioner Dawes seconded the motion and Commissioner Palmer called for comments/questions. Commissioner Dawes inquired if Chad Boruff has worked with Averhealth before. Chad Boruff reported he has worked with them for many years in Howard County. The motion was approved unanimously 3-0-0.

IN THE MATTER OF THERECORDXCHANGE SERVICES AGREEMENT

Catherine Haines presented the three-year TheRecordXchange Services Agreement for \$8,640.00 per year, plus

a \$4,500.00 implementation fee, for online audio/video and transcript requests, payment and distribution platform services for the Courts and requested approval.

Commissioner Gentry moved to approve the Amendment as presented. Commissioner Dawes seconded the motion. Commissioner Palmer called for comments/questions. Commissioner Dawes inquired if this was all technology related and if so, was Doug Morris involved. Catherine Haines advised it is all technology related and stated Doug Morris was involved and had no issues. The motion was approved unanimously 3-0-0.

**IN THE MATTER OF ALTERNATIVE DISPUTE RESOLUTION PROGRAM PLAN
ADMINISTRATOR’S CONTRACT AMENDMENT**

Catherine Haines presented the Amendment to Hendricks County Courts’ Alternative Dispute Resolution Program Plan Administrator Professional Services Contract for \$93,858.00 for 2024 and requested approval. Catherine Haines advised the compensation is consistent with the County’s 2024 grade scale.

There was discussion amongst the Commissioners and Catherine Haines regarding the matter.

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

IN THE MATTER OF COMMENTS FROM THE FLOOR

Tim Dombrosky introduced Adam Peaper, HWC Engineering, and reported they are happy with the open houses and feedback they’ve received regarding the updated Comprehensive Plan so far and are moving forward.

There was discussion amongst the Commissioners, Tim Dombrosky, and Adam Peaper regarding the matter and an online survey that will be coming out soon. Commissioner Gentry expressed his appreciation for the consideration they’ve been giving towards agriculture’s concerns. Commissioner Dawes stated he was glad to see the good turnout at the last open house and advised Tim Dombrosky is doing a good job leading the project.

IN THE MATTER OF ELECTED OFFICIALS

Sheriff Jack Sadler reported the Sheriff’s Department is collecting unwrapped toys until December 8, 2023 to be distributed to families in need throughout the County and encouraged others to participate. Sheriff Sadler also pointed out that today is “Giving Tuesday” and encouraged others to donate locally.

Commissioner Gentry inquired where things stood with an ordinance regarding the parking and vehicle booting issue on semis in Liberty Township. Sheriff Sadler stated he does not recommend implementing a no parking ordinance on Koger Street right now and advised Planning and Building have notified the owner of the parcel being used as a parking lot that they are operating an illegal business with a cease-and-desist order.

There was discussion amongst the Commissioners, Greg Steuerwald, Sheriff Sadler, Tim Dombrosky, and John Ayers regarding the matter. Tim Dombrosky advised the owner has until November 30, 2023 before he pursues fines and legal action for operating the illegal business. Sheriff Sadler advised they’ve been called out there 25 times since June.

IN THE MATTER OF LETTER OF SUPPORT

John Ayers presented a Letter of Support for the Town of Plainfield for a funding request they’re submitting to the MPO for a roundabout at State Road 267 and Quaker Boulevard and requested approval.

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

IN THE MATTER OF COMMISSIONERS

Nancy Marsh inquired if the Commissioners would like to choose one of the three eligible appointees for the Health Board and send the other two to the Council for their consideration or if they would like the Council to choose first.

There was discussion amongst the Commissioners, Todd McCormack, and Nancy Marsh regarding the matter and the requirements under the updated statute. Commissioner Palmer requested Mila Shaffer provide the Commissioners a list of the expiring appointments and advised they may start making appointments at the December 12, 2023 Commissioners' Meeting.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

STAFF REPORTS RECEIVED


1. Receipt acknowledged for the Engineering Department Report of November 28, 2023 from John Ayers.
2. Receipt acknowledged for the Facilities Department Report of November 28, 2023 from Kevin Cavanaugh.
3. Receipt acknowledged for the Executive Director's Report of November 28, 2023 from Todd McCormack.
4. Receipt acknowledged for the I.T. Department Report of November 28, 2023 from Doug Morris.
5. Receipt acknowledged for the Highway Department Report of October 30, 2023-November 3, 2023, November 6-10, 2023, and November 13-17, 2023 from Curt Higginbotham.
6. Receipt acknowledged for the HR Report of November 11-24, 2023 from Erin Hughes.
7. Receipt acknowledged for the EMA Report of November 4-22, 2023 from Debbi Fletcher.
8. Receipt acknowledged for the Animal Control/Shelter Report of October 2023 from LaDonna Hughes.
9. Receipt acknowledged for the Parks & Recreation Report of November 17, 2023 from Ryan Lemley.

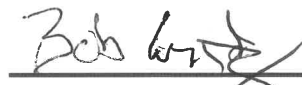
CORRESPONDENCE RECEIVED

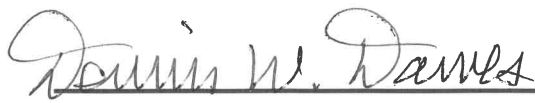
1. Notice of Tort Claim from Young & Young representing Marvin E. Futch.
2. Notice of Public Hearing by the Brownsburg Advisory Plan Commission for PCPP-23-10, NE corner of 56th Street and CR 900, from Woolpert.
3. Notice of Neighborhood Meeting for "The Reserve at Ronald Reagan" from Nelson & Frankenberger, LLC.

IN THE MATTER OF ADJOURNMENT

Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:16 AM on Tuesday, November 28, 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