# HENDRICKS COUNTY COUNCIL REGULAR MEETING
# JULY 5, 2022

The regular meeting of the Hendricks County Council was called to order by President David Wyeth on Wednesday July 5, 2022 with the following in attendance: David Cox, Kendall Hendricks, Larry Scott, Eric Wathen, David Wyeth, Financial Administrator Tami Mitchell, Auditor Nancy Marsh, and Legal Counsel Rhonda Cook. Councilman Kendall Hendricks led assembly the Pledge of Allegiance.

## IN THE MATTER OF THE JUNE 7, 2022 REGULAR COUNCIL MINUTES

It was moved by David Cox and seconded by Kendall Hendricks to approve the minutes of the June 7, 2022 meeting as amended. Motion carried 5-0.

## IN THE MATTER OF PUBLIC COMMENT

Danville Public Library Board President, Don Helton, was present to request a continuance to the August 2, 2022 meeting due to Danville Public Library Board Member, Pat Baldwin, being unable to attend today's meeting. Mr. Helton offered a short summary stating the Danville Library has gone through a good transition but there had been disgruntled employees. Mr. Helton stated the library has never been in better shape and they have three new managers in place and the patrons and public are getting their money's worth. It was the Council's consensus to allow a continuance until the August meeting.

## IN THE MATTER OF THE AMATEUR RADIO EMERGENCY SERVICES

Mr. Gordon Cotton, accompanied by Mr. Vern Madden, expressed thanks to the Hendricks County Council for supporting their request for funding tower improvements. Mr. Cotton distributed a coverage map for the 145.130 MHz Repeaters stating that the Hendricks County coverage is excellent, and it extends outside of the county boundaries. Council President David Wyeth thanked the Amateur Radio group for their valuable service to the citizens of Hendricks County.

## IN THE MATTER OF CF-1 DECKER'S OUTDOOR CORPORATION

Auditor Nancy Marsh presented the CF-1 of Decker's Outdoor Corporation for approval. Auditor Marsh stated that Decker's Outdoor Corporation had received a 30 day extension from the Assessor's Office which makes this an on-time filing. It was moved by David Cox and seconded by Eric Wathen to approve the CF-1 as presented being substantially in compliance. Motion carried 5-0.

Council President David Wyeth asked if these personal property abatement returns were ever audited by a third party. County Assessor, Niki Lawson, stated she is contracting with a third party vendor to review the 35 personal property returns for 2022 pay 2023.

## IN THE MATTER OF CONFIRMING RESOLUTION 2022-26 SCP MONROVIA INVESTORS, LLC; CONFIRMING RESOLUTION 2022-27 AFTER ACTION MEDICAL AND DENTAL SUPPLY, INC. AND CONFIRMING RESOLUTION 2022-28 C & B GRAHAM ENERGY, LLC

It was moved by David Cox and seconded by Larry Scott to read the Resolution 2022-26 by title only. Motion carried 5-0. Legal Counsel Rhonda Cook read *Hendricks County Council Resolution 2022-26 Setting Forth Final Action in Determining That the Qualifications For An Economic Revitalization Area Have Been Met and confirming Resolution No. 2022-20 of June 4, 2022.*

Legal Counsel, Rhonda Cook, stated Resolution 2022-27 for After Action Medical and Dental Supply has been withdrawn.

It was moved by David Cox and seconded by Larry Scott to read Resolution 2022-28 by title only. Motion carried 5-0. Legal Counsel Rhonda Cook *Resolution 2022-27 Setting Forth Final Action in Determining That the Qualifications For An Economic Revitalization Area Have Been Met and confirming Resolution No. 2022-21 of June 4, 2022.*

It was moved by David Cox and seconded by Larry Scott to recess the meeting for the duly advertised Public Hearing for the Confirming Resolution 2022-26 SCP Monrovia Investors, LLC; Confirming Resolution 2022-28 C & B Graham Energy, LLC. Motion carried 5-0. Council President David Wyeth opened the public hearing.

Regarding Confirming Resolution 2022-26 SCP Monrovia Investors, LLC, Mr. Mark Cooper, 501 W County Road 1000 S, Clayton, Indiana, representing the newly formed citizen group, Liberty Township ESAC (Emergency Service Action Committee) was present to make sure all parties are aware of the emergency services funding problems with the buildings abated and under Tax Increment Financing at the I-70/SR 39 intersection. Mr. Cooper stated the Town of Clayton and the Township Trustee had proposed the creation of a fire territory. Mr. Cooper stated the public was unaware of that plan and objected to a fire territory being formed until more information is learned about the ramifications to property tax. Mr. Cooper stated that he had approached the Township Trustee offering to help solve the problem, but the Township Trustee expressed no interest in working with the ESAC Committee.

Hendricks County Economic Development Director Brian Bilger stated he was aware of the problem and the warehouse facilities are willing to work with the concerned parties.

Councilman Kendall Hendricks stated something needs to be done and feels sure it can be worked out. Councilman David Wyeth stated he would like to see a moratorium put in place in Liberty Township until an emergency medical service funding plan is in place.

Mr. Cooper stated that people need emergency medical services and dirt does not. Council President David Wyeth stated he is a farmer and feels their pain and completely understands.

Regarding Confirming Resolution 2022-28 C & B Graham Energy, LLC, Councilman David Cox stated he had recently attended the State Board of Accounts called Council Meeting and at that meeting the county's peers had recommended that an ordinance be created that is very in depth before we start approving green projects. Council President David Wyeth stated he would like to see this resolution tabled. Legal Counsel Rhonda Cook stated it may be continued.

Greg Ternet CEO of Hendricks Power Cooperative, stated the request is for personal property abatement on agriculture classified property and Hendricks Power has a purchase agreement to buy power which will benefit their Hendricks County customers. Mr. Ternet stated a zoning ordinance, through the Plan Commission is now in place. Commissioner Dennis Dawes stated that a wind and solar ordinance had been passed and urged the Council to approve the abatement to not slow down the project.

Councilman David Cox stated he doesn't believe the county has a complete, full picture of the request. Councilman Eric Wathen stated he is not in favor of continuing the request because it will be impossible to have any resolution by the next meeting.

It was moved by David Cox and seconded by Larry Scott to close the Public Hearing and reconvene the July 5, 2022 Council meeting. Motion carried 5-0.

It was moved by Eric Wathen and seconded by Larry Scott to approve *Hendricks County Council Resolution 2022-26 Setting Forth Final Action in Determining That the Qualifications For An Economic Revitalization Area Have Been Met and confirming Resolution No. 2022-20 of June 4, 2022* for a Real Property Tax Abatement for SCP Monrovia Investors, LLC. Motion carried 4-1 (DW).

It was moved by Eric Wathen and seconded by Larry Scott to approve *Hendricks County Council Resolution 2022-28 Setting Forth Final Action in Determining That the Qualifications For An Economic Revitalization Area Have Been Met and confirming Resolution No. 2022-21 of June 4, 2022* for a Personal Property Tax Abatement for C & B Graham Energy, LLC. Motion carried 4-1 (DW).

## IN THE MATTER OF THE AMERICAN RESCUE PLAN ACT UPDATE

Council member, and member of the American Rescue Plan Act Planning Committee, Kendall Hendricks presented an update on the progress and actions of the American Rescue Plan Act Planning Committee.

Mr. William Rhodehamel and Mr. Eric Hessel, representing the Hendricks County Community Foundation, stated they had followed the directive and intent of the Coronavirus Relief Fund when they recommended the non-competitive not-for-profits. Mr. Hessel stated they confined the selection to those organizations most affected by Covid under the guidance of the State and Local Fiscal Recovery recommendations.

## IN THE MATTER OF UPDATE FROM WORKING GROUP TO COMPILE COMPENSATION POLICIES

Working Group Chairman, Councilman Eric Wathen, reported of the group's first meeting on June 30, 2022. Mr. Wathen stated the committee plans and is working toward putting together a comprehensive policy for the Council to review, approve and put in place for 2023.

## IN THE MATTER OF THE LIBRARY BOARD APPOINTMENT POLICY

Council Attorney Rhonda Cook presented a draft *Proposed Policy On Library Appointments* for Council comment and consideration. Ms. Cook stated that the statute governing the policies does not require the appointee to be at least 18 years old and asked the Council for their pleasure

regarding an age requirement. It was moved by Larry Scott and seconded by David Cox to amend the *Proposed Policy On Library Appointments* that the minimum age to serve on a Hendricks County library board be 18 years old. Motion carried 5-0.

Discussion was held on requiring the application process for reappointments to the library boards. It was moved by Larry Scott and seconded by Kendall Hendricks to require the application upon reappointment requests. Motion carried 5-0.

It was moved by Larry Scott and seconded by David Cox to approve the Policy on Appointments as amended. Motion carried 5-0.

## IN THE MATTER OF THE COATESVILLE-CLAY TOWNSHIP LIBRARY BOARD APPOINTMENT

A letter from Coatesville Clay Township Public Library Director Korleen Bledsoe requesting Mrs. Jackie Cramer be reappointed to a to the Coatesville Clay Township Library Board of Trustees to fulfill a second four-year term.

County Auditor Nancy Marsh was asked to send the newly adopted application to the interested party or to the Library Director, Korleen Bledsoe.

## IN THE MATTER OF THE CLAYTON-LIBERTY TOWNSHIP PUBLIC LIBRARY

Council Attorney Rhonda Cook reported that there are several vacancies on the Clayton Liberty Township Library Board and for the Board to obtain a quorum and perform their duties, Town Council Member, Doug Bignell had been appointed by the Commissioners as an interim board member. Auditor Nancy Marsh reported that Clayton-Liberty Township Library Board member, Michelle Deal has resigned.

County Auditor Nancy Marsh was asked to confirm Ms. Deal resignation and to send the newly adopted application to the library director and Mr. Bignel.

## IN THE MATTER OF THE EMERGENCY ADDITIONAL APPROPRIATIONS

It was moved by David Cox and seconded by Kendall Hendricks to recess the meeting for the Emergency Additional Appropriation Public Hearing. Motion carried 5-0.

Council President David Wyeth opened the public hearing.

County Health Director Krista Click stated, for transparency, that additional number 3 for the Immunization Grant for 2022/2023 included changing a part-time position to a full-time position. Financial Administrator Tami Mitchell explained that since this is a grant, running from July 1, 2022 to June 30, 2023, the funding is for the full time position and delaying the full time position outside the grant period can cause problems, including, but not limited to, returning grant dollars. It was the consensus of the Council to allow that position to go from part time to full time effective with the grant period.

It was moved by Larry Scott and seconded by David Cox to reconvene the meeting. Motion carried 5-0.

It was moved by David Cox and seconded by Larry Scott to approve emergency additional appropriation numbers 1 -3 as presented. Motion carried 5-0.

It was moved by David Cox and seconded by Larry Scott to approve emergency additional appropriations numbers 4 -13 as presented. Motion carried 4-1 (EW). Mr. Wathen stated his vote was not against the grants to not-for-profits, but he believed the money would have been better spent on one big project.

## EMERGENCY APPROPRIATION RESOLUTION

Whereas, certain extraordinary emergencies have developed since the adoption of the existing budget, so that it is necessary to appropriate more money than was appropriated in the annual budget; therefore, to meet such extraordinary emergencies;

Be it resolved by the County Council of Hendricks County, Indiana, that for the expense of said County the following additional sums of money are hereby appropriated and ordered set apart out of the several funds as herein and for the purpose herein specified, subject to the laws governing the same.

| | DEPARTMENT | ACCOUNT | DESCRIPTION | AMOUNT | APPROVED |
|---|---|---|---|---|---|
| 1 | Rainy Day/Highway | 1186.45369.00X.0201 | Dan Jones Road Bridge 290 | $3,907,154 | $3,907,154 |
| 2 | F & B/Highway | 1157.45369.00X.0201 | Dan Jones Road Bridge 290 | $1,000,000 | $1,000,000 |
| 3 | 8130 Health Grant | 8130.XXXXX.000.0214 | Immunization Grant 22/23 | $185,735.00 | $185,735.00 |
| 4 | ARPA Non-Competitive NFP | 8950.XXXXX.000.0102 | Family Promise of HC | $1,140,000.00 | $1,140,000.00 |
| 5 | ARPA Non-Competitive NFP | 8950.XXXXX.000.0102 | HC Community Foundation | $360,000.00 | $360,000.00 |
| 6 | ARPA Non-Competitive NFP | 8950.XXXXX.000.0102 | HC Food Pantry Coalition | $542,255.00 | $542,255.00 |
| 7 | ARPA Non-Competitive NFP | 8950.XXXXX.000.0102 | Hendricks College Network | $911,000.00 | $911,000.00 |
| 8 | ARPA Non-Competitive NFP | 8950.XXXXX.000.0102 | HC Senior Services | $206,071.00 | $206,071.00 |
| 9 | ARPA Non-Competitive NFP | 8950.XXXXX.000.0102 | Hope Healthcare Services | $106,830.00 | $106,830.00 |
| 10 | ARPA Non-Competitive NFP | 8950.XXXXX.000.0102 | HC Mental Health America | $200,000.00 | $200,000.00 |
| 11 | ARPA Non-Competitive NFP | 8950.XXXXX.000.0102 | Sheltering Wings | $922,000.00 | $922,000.00 |
| 12 | ARPA Non-Competitive NFP | 8950.XXXXX.000.0102 | Susie's Place Child Advocacy | $541,000.00 | $541,000.00 |
| 13 | ARPA Non-Competitive NFP | 8950.XXXXX.000.0102 | Sycamore Services | $120,700.00 | $120,700.00 |

Dated this 5th day of July 2022.

**AYE**

/s/ David Cox
/s/ Kendall Hendricks
/s/ Larry R. Scott
/s/ Eric Wathen
/s/ David Wyeth

**NAY**

/s/ Eric Wathen #4-13

ATTEST: /s/ Nancy L. Marsh

## REALLOCATION OF FUNDS

There were no requests.

## IN THE MATTER OF CREATING A COUNCIL SHARED FOLDER

IT Director Doug Morris stated that the request had been made by legal counsel to create a folder destination for Council business and documents. Mr. Morris stated it would be a secured, shared folder which will have remote access for the Council and other designated persons. Legal Counsel stated it will be one place to locate Council documents and everyone would be notified of availability.

## IN THE MATTER OF COUNCIL RULES OF PROCEDURE

Legal Counsel, Rhonda Cook recommended a Council Policy and Procedures be created to establish and memorialize the Hendricks County Council rules. Ms. Cook stated it would be a living document with updates at the Council's pleasure. Councilman Eric Wathen stated he does not think the Council needs that document. Councilman Larry Scott stated he did believe the Council needed that guidance. Ms. Cook stated she will put samples together from other governmental organizations for the Council to review.

## OTHER BUSINESS

The Status of Funds was reviewed. The Auditor called attention to the strong June 30 balances.

Auditor Nancy Marsh stated the State mileage reimbursement rate has been increased again to 49 cents per mile effective June 15, 2022.

Auditor Nancy Marsh gave the following calendar reminders:

Budget Workshops – September 6, 7, & 8, 2022 (Following September 6, 2022 Regular Meeting)
Budget Public Hearing – October 4, 2022 (Regular Meeting)
Budget Adoption – October 18, 2022 (Special Meeting)
Benefits Meetings – August 2, 2022 (After Council) & November 9, 2022 (After Commissioners)

Facility Director Kevin Cavanaugh stated the contractor is able to get temporary breakers for the new jail during the supply chain shortage of Square D Breakers.

Mr. Cavanaugh stated he had contacted Mr. Steve Hinds to reach out to the state regarding the possibility of purchasing the Armory. Mr. Hinds stated the time frame for the state process is 7-10 years. Mr. Cavanaugh stated updates and improvements are planned for the Armory.

Hendricks County Community Foundation, Sheltering Wings, Hendricks County Food Coalition, Family Promise and Senior Services expressed their thanks and gratitude for their American Rescue Plan Grants.

Councilman Larry Scott stated the County Councils Association Annual State Board of Accounts called meeting was held at the Monroe County Convention Center at Bloomington on Friday and Saturday, June 24 and 25, 2022 with Councilmen Hesson, Cox, Scott and Legal Counsel Rhonda Cook attending. Mr. Scott stated there were several relevant speakers on critical interests. Councilman Scott stated the economic forecast was especially interesting.

There being no further business to come before the Council, by motion made by David Wyeth and seconded by David Cox, the meeting was adjourned at 10:27 on July 5, 2022. Motion carried 5-0.

**HENDRICKS COUNTY COUNCIL**

David Cox

Eric Wathen

Kendall Hendricks

Brad Whicker

Larry R. Hesson

David Wyeth

Larry R. Scott

Attest: Nancy L. Marsh
Nancy L. Marsh, Auditor