

**HENDRICKS COUNTY COUNCIL REGULAR MEETING
DECEMBER 20, 2022**

The regular meeting of the Hendricks County Council was called to order by President David Wyeth on Tuesday December 20, 2022 with the following in attendance: Councilmen Caleb Brown, David Cox, Larry Hesson, Larry Scott, Brad Whicker, Eric Wathen, David Wyeth, Financial Administrator Tami Mitchell, Auditor Nancy Marsh, and Legal Counsel Rhonda Cook. Councilman Caleb Brown led the assembly in the Pledge of Allegiance.

IN THE MATTER OF THE NOVEMBER 1, 2022 REGULAR COUNCIL MEETING MINUTES

It was moved by Brad Whicker and seconded by Caleb Brown to approve the minutes of the November 1, 2022 meeting as presented. Motion carried 7-0.

**IN THE MATTER OF THE DECEMBER 12, 2022
SPECIAL COUNCIL MEETING AND WORKSHOP MINUTES**

It was moved by David Cox and seconded by Larry Hesson to approve the minutes of the December 12, 2022 special meeting and workshop as presented. Motion carried 6-0-1 (CB).

IN THE MATTER OF PUBLIC COMMENT

No public comment was presented.

**IN THE MATTER OF THE UNIFIED COURT EMPLOYEES
JOINING THE COUNTY'S WAGE AND GRADE SYSTEM**

Superior Court No. 4 Judge Mark Smith, representing the Judges and the Unified Courts, provided a history of why the Courts wage scale was different from the Council adopted wage scale. Judge Smith stated that the Judges were asked to set a new base in 2013 and had not requested any changes to the base but did receive the annual COLA increase along with the rest of the County employees. Judge Smith stated the courts did not participate in the County First Person Wage Study which started in 2019. Judge Smith stated that to join the County's wage scale, they had engaged First Person to conduct a wage and grade study for the Unified Court employees and was asking for the Council to accept the recommended grades and corresponding wages on the County's wage scale as follows:

- | | |
|---|----------|
| ▪ Court Administrator | Grade 37 |
| ▪ Office Manager | Grade 31 |
| ▪ Court Reporter | Grade 28 |
| ▪ Bailiff | Grade 28 |
| ▪ Clerk | Grade 26 |
| ▪ Administrative Assistant PT | Grade 26 |
| ▪ YAP Director | Grade 34 |
| ▪ YAP Early Intervention Advocate (FT/PT) | Grade 28 |

It was moved by Eric Wathen and seconded by Larry Hesson to accept the grades and wages corresponding to the County's adopted wage scale for 2023 and going forward. Council member Eric Wathen asked for, and received confirmation from Auditor Nancy Marsh, that the grades and wages were in parity with the County's wage scale. Motion carried 7-0.

Judge Mark Smith asked for the Council's pleasure in recognizing the Unified Court System employees with the longevity received in 2022 by the other county employees. Discussion was held on when the Auditor's Office could process the longevity. Financial Administrator, Tami Mitchell, stated Payroll could do a gross adjustment on the final check of the year. It was moved by Eric Wathen and seconded by David Cox to apply the longevity to the eligible employees, including the 1.1% COLA, as a gross adjustment to the final check of the year. Motion carried 7-0.

Auditor Nancy Marsh and Financial Administrator Tami Mitchell requested further conversation on the departments who do not receive the COLA i.e. Sheriff Merit Deputies and Probation. Councilman Brad Whicker asked that the subject be placed on the January agenda.

Judge Smith thanked Council President David Wyeth, County Executive, Todd McCormack, Financial Administrator, Tami Mitchell, Court Administrator, Catherine Haines and Auditor, Nancy Marsh, for their assistance working through the concerns and making it a successful transition to the County Wage Scale.

The Council expressed satisfaction with the positive outcome and thanked the Judges for their due diligence in moving the Unified Court's wage scale into the County adopted grade and wage scale.

**IN THE MATTER OF RESOLUTION 2022-51 CONFIRMING ERA AND QUALIFYING CERTAIN
PERSONAL PROPERTY AND IMPROVEMENTS FOR TAX ABATEMENT FOR DHL SUPPLY CHAIN**

Brian Bilger, Executive Director of the Hendricks County Economic Development Partnership, presented a request to confirm a Personal Property Tax Abatement for DHL Supply Chain located at 1772 Gateway Point, Clayton, Indiana. Mr. Bilger stated the project will create approximately 141 new jobs with an investment of \$10,898,531 million in new logistical distribution equipment which had increased from \$3,014,415. Discussion was held on the increased investment of personal property requested.

President David Wyeth opened the Public Hearing. Hearing no comment, the Public Hearing was closed.

It was moved by Eric Wathen and seconded by Brad Whicker to adopt ordinance 2022-51 a *Resolution Setting Forth Final Action In Determining That The Qualifications For An Economic Revitalization Area Have Been Met And Confirming Resolution No. 2022-50 Of November 1, 2022*. Motion carried 7-0.

IN THE MATTER OF THE 2023 SALARY ORDINANCE

Financial Administrator Tami Mitchell stated that due to the changes made to the Unified Courts pay scale, at this meeting, she was unable to complete Exhibit A of Ordinance No. 2022-54 *An Ordinance Adopting the Hendricks County, Indiana 2023 Salary Schedule and Compensation Policy*. Legal Counsel, Rhonda Cook stated Ordinance 2022-54 could be presented for first reading at this meeting and then heard at second reading at the January 3, 2023 meeting.

It was moved by Brad Whicker and seconded by Larry Hesson to continue the 2023 Salary Ordinance until the January 3, 2023 Council meeting. Motion carried 7-0.

IN THE MATTER OF THE BROWNSBURG PUBLIC LIBRARY BOARD APPOINTMENT

Upon presentation of the application of Sara Wigman for reappointment to the Brownsburg Public Library Board, it was moved by Larry Scott and seconded by David Cox to reappoint Sara Wigman to the Brownsburg Public Library Board for a term ending on the December 31, 2026. Motion carried 7-0.

IN THE MATTER OF THE 2022 TO 2023 ENCUMBRANCES

Auditor Nancy Marsh presented a list of encumbrance requests and the corresponding documentation for the Council's approval. Auditor Marsh stated the list is current to date and she expected a few more will be added closer to the end of the year. It was moved by Eric Wathen and seconded by Larry Scott to approve the list presented and any other encumbrance requests prior to the end of the year. Motion carried 7-0.

IN THE MATTER OF THE EMERGENCY ADDITIONAL APPROPRIATIONS

Council President David Wyeth opened the Public Hearing. It was noted additional numbers 2 and 3 are inordinately small. Auditor Marsh stated that the Auditor's Office would normally process these small requests because we have an ordinance allowing small corrections. Council President David Wyeth requested clarification on the Highway Operating Supply request. Auditor Marsh stated she had received two requests totaling \$25,000 and Highway stated that they needed only \$15,000 to complete the year. The Public Hearing was closed.

It was moved by Brad Whicker and seconded by Larry Scott to approve the Coroner additional appropriation number 1 in the amount of \$25,000.00; Community Correction Grant number 2 in the amount of \$.08 and number 3 in the amount of \$.57; Highway MVH number 4 in the amount of \$15,000.00 and Court Administration number 5 in the amount of \$1,000.00. Motion carried 7-0.

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	Coroner	1001.33800.000.0107	Autopsy & Lab Fees	\$25,000.00	\$25,000.00
2	Community Corrections Grant	1124.20200.000.0154	Operating Supplies	\$00.08	\$00.08
3	Community Corrections Grant	1124.20201.000.0154	Janitorial Supplies	\$00.57	\$00.57
4	Highway MVH	1176.20200.003.0201	Operating Supplies	\$25,000.00	\$15,000.00
5	Court Administration	2202.39900.000.0160	Misc. Conflict Mediation	\$1,000.00	\$1,000.00

Dated this 20th day of December 2022.

AYE

/s/ Caleb Brown
/s/ David Cox
/s/ Larry R. Hesson
/s/ Larry R. Scott
/s/ Eric Wathen
/s/ Brad Whicker
/s/ David Wyeth

ATTEST: /s/ Nancy L. Marsh

IN THE MATTER OF THE REALLOCATION OF FUNDS

Auditor Nancy Marsh stated that there are transfers in addition to the eight found on the Resolution and agenda. Financial Administrator, Tami Mitchell, stated that she had gone through all the accounts in preparation for End of Year and presented a list with 63 additional transfers. Ms. Mitchell stated that most of these transfers are to cover the wage changes required by the adoption of the First Person grades. It was moved by Brad Whicker and seconded by Larry Scott to approve Reallocation of Funds Resolutions numbers 1 through 8 and Financial Administrator's transfers 1 through 63 as presented. Motion carried 7-0.

REALLOCATION OF FUNDS RESOLUTION

Be it resolved by the County Council of Hendricks County, Indiana, that for the expenses of the unit of Government of Hendricks County, the following sums of money previously appropriated for expenditures from a detailed account within a major classification, are hereby reallocated to another detailed account within a different classification as originally appropriated, all as herein specified.

	DEPARTMENT	FROM	TO	AMOUNT	Y/N
1	Prosecutor	1001.10801.000.0108	1001.10817.000.0108	\$2,900.00	y
2	Prosecutor	1001.10819.000.0108	1001.10803.000.0108	\$1,000.00	y
3	Child Support	1001.18404.000.0184	1001.18402.000.084	\$2,000.00	y
4	Weights & Measures	1001.33000.000.0145	1001.20100.000.0145	\$500.00	y
5	Work Release	1001.39900.000.0154	1001.20200.000.0154	\$150,000.00	y
6	Clean Water	1001.20200.000.0161	1001.30201.000.0161	\$2,000.00	y
7	Clean Water	1001.21002.000.0161	1001.30201.000.0161	\$1,000.00	y
8	Clean Water	1001.20301.000.0161	1001.30201.000.0161	\$500.00	y

END OF YEAR FINANCIAL ADMINISTRATOR'S REALLOCATION OF FUNDS					
1) Clerk	1001.10119.000.0101	1001.10101.000.0101	\$4,100.00	y	
2) Auditor	1001.30201.000.0102	1001.10201.000.0102	\$6,930.00	y	
3) Auditor	1001.30201.000.0102	1001.10202.000.0102	\$3,100.00	y	
4) Auditor	1001.30201.000.0102	1001.10203.000.0102	\$5,500.00	y	
5) Auditor	1001.30201.000.0102	1001.10207.000.0102	\$4,600.00	y	
6) Auditor	1001.30201.000.0102	1001.10208.000.0102	\$3,800.00	y	
7) Auditor	1001.30201.000.0102	1001.10209.000.0102	\$4,600.00	y	
8) Auditor	1001.30201.000.0102	1001.10211.000.0102	\$4,600.00	y	

9) Auditor	1001.30201.000.0102	1001.10214.000.0102	\$5,400.00	y
10) Treasurer	1001.10304.000.0103	1001.10301.000.0103	\$8,810.00	y
11) Recorder	1001.10407.000.0104	1001.10401.000.0104	\$4,100.00	y
12) Sheriff	1001.10513.000.0105	1001.10502.000.0105	\$3,060.00	y
13) Sheriff	1001.10513.000.0105	1001.10516.000.0105	\$9,005.00	y
14) Sheriff	1001.10513.000.0105	1001.10521.000.0105	\$5,700.00	y
15) Sheriff	1001.10513.000.0105	1001.10528.000.0105	\$26,645.00	y
16) Sheriff	1001.10513.000.0105	1001.10567.000.0105	\$1,820.00	y
17) Sheriff	1001.10513.000.0105	1001.10500.000.0105	\$2,500.00	y
18) Sheriff	1001.10535.000.0105	1001.10530.000.0105	\$20,000.00	y
19) Surveyor	1001.10609.000.0106	1001.10601.000.0106	\$4,100.00	y
20) Surveyor	1001.10699.000.0106	1001.10613.000.0106	\$6,130.00	y
21) Coroner	1001.10702.000.0107	1001.10700.000.0107	\$4,100.00	y
22) Coroner	1001.10702.000.0107	1001.10701.000.0107	\$1,000.00	y
23) Coroner	1001.33800.000.0107	1001.10701.000.0107	\$3,100.00	y
24) Prosecutor	1001.10819.000.0108	1001.10803.000.0108	\$6,963.00	y
25) Prosecutor	1001.10834.000.0108	1001.10818.000.0108	\$2,891.00	y
26) Prosecutor	1001.10835.000.0108	1001.10824.000.0108	\$5,000.00	y
27) Prosecutor	1001.10835.000.0108	1001.10825.000.0108	\$5,000.00	y
28) Prosecutor	1001.10835.000.0108	1001.10848.000.0108	\$5,000.00	y
29) Prosecutor	1001.39900.000.0108	1001.10849.000.0108	\$5,000.00	y
30) Prosecutor	1001.39900.000.0108	1001.10854.000.0108	\$5,000.00	y
31) Prosecutor	1001.39900.000.0108	1001.10856.000.0108	\$3,090.00	y
32) Prosecutor	1001.10835.000.0108	1001.10862.000.0108	\$5,000.00	y
33) Assessor	1001.18998.000.0109	1001.10901.000.0109	\$4,100.00	y
34) Assessor	1001.18998.000.0109	1001.10906.000.0109	\$2,054.00	y
35) Assessor	1001.18998.000.0109	1001.11300.000.0109	\$3,316.00	y
36) Assessor	1001.18998.000.0109	1001.11400.000.0109	\$2,487.00	y
37) Assessor	1001.18998.000.0109	1001.11400.129.0109	\$38.46	y
38) Assessor	1224.18998.000.0109	1224.18997.000.0109	\$3,025.00	y
39) Planning	1001.13119.000.0131	1001.13100.000.0131	\$6,680.00	y
40) Jail	1001.13703.000.0137	1001.13702.000.0137	\$4,132.00	y
41) Weights & Measures	1001.32900.000.0145	1001.20100.000.0145	\$54.00	y
42) Election	1112.14608.000.0146	1112.14605.000.0146	\$4,100.00	y
43) Election	1112.14603.000.0146	1112.14602.000.0146	\$2,000.00	y
44) Election	1112.14601.000.0146	1112.14602.000.0146	\$4,065.00	y
45) Computer Center	1001.14704.000.0147	1001.14700.000.0147	\$7,172.00	y
46) Computer Center	1138.30306.000.0147	1138.44600.000.0147	\$3,734.00	y
47) Council	1001.13591.000.0149	1001.13590.000.0149	\$110,000.00	y
48) Council	1001.13593.000.0149	1001.14908.000.0149	\$9,431.00	y
49) Probation	1001.15128.000.0151	1001.15113.000.0151	\$956.00	y
50) Probation	1001.15128.000.0151	1001.15114.000.0151	\$5,000.00	y
51) Probation	2005.34500.000.0151	2005.15117.000.0151	\$2,855.00	y
52) Probation	4922.39402.000.0151	4922.19402.000.0151	\$6,000.00	y

53)	Work Release	1001.15427.000.0151	1001.15436.000.0151	\$1,154.00	y
54)	Parks & Recreation	4806.39900.000.0156	4806.15601.000.0156	\$3,009.00	y
55)	Parks & Recreation	4806.39900.000.0156	4806.15607.000.0156	\$5,323.00	y
56)	Court Administration	1001.16204.000.0156	1001.16099.000.0160	\$4,000.00	y
57)	Court Administration	1001.16204.000.0156	1001.16203.000.0160	\$10,265.00	y
58)	Clean Water	1001.20200.000.0161	1001.30201.000.0160	\$1,460.00	y
59)	Public Defender	1001.30400.000.0166	1001.16602.000.0166	\$8,300.00	y
60)	Public Defender	1001.30400.000.0166	1001.16600.000.0166	\$2,659.00	y
61)	Child Support	1001.18404.000.0184	1001.18402.000.0184	\$3,100.00	y
62)	Highway	1176.18524.000.0201	1176.18537.000.0201	\$670.00	y
63)	Highway	1176.18524.000.0201	1176.18551.000.0201	\$3,529.00	y

Approved this 20th day of December, 2022.

AYE

NAY

/s/ Caleb Brown
/s/ David Cox
/s/ Larry R. Hesson
/s/ Larry R. Scott
/s/ Eric Wathen
/s/ Brad Whicker
/s/ David Wyeth

ATTEST: /s/ Nancy L. Marsh

IN THE MATTER OF PROPOSED COUNCIL RULES OF PROCEDURE

Legal Counsel, Rhonda Cook, stated she had been working with Councilman Larry Scott, Councilman Larry Hesson, County Executive Todd McCormack and Auditor Nancy Marsh. Ms. Cook stated she needed to update the procedures for the use of iPads and there still needs some work to the budget portion. It was moved by Larry Hesson and seconded by Larry Scott to table the Council Rules of Procedure until the January meeting. Motion carried 7-0,

IN THE MATTER OF THE STATUS OF FUNDS

The Status of Funds was reviewed with discussion on how incredibly strong the revenue is from Food & Beverage.

IN THE MATTER OF OTHER COUNCIL BUSINESS

APPLE (FORMERLY XPO) PERSONAL PROPERTY ABATEMENT

Discussion was held regarding the Assessor's denial of the personal property abatement for Apple (formerly XPO) due to late filing of their CF-1 PP. It was the consensus of the Council to provide a remedy to reinstate the abatement and asked the waiver to be advertised for the January meeting. Auditor Marsh stated it is too late to advertise the subject for the January agenda and will need to be put on the February agenda if the request is received timely for advertisement. Assessor Lawson stated

there is a statutory process for Apple to follow and cautioned against the County taking the first step to offer a waiver and setting a precedent. Ms. Lawson stated it is Apple's responsibility to request a waiver from the County Council. Discussion was held on notifying the correct person in these large corporations and Auditor Marsh stated that is a real concern and a problem with all the abatements.

IN THE MATTER OF THE RETIREMENT OF SHERIFF BRETT CLARK

Council President congratulated Sheriff Brett Clark on his upcoming retirement. Mr. Wyeth stated he grew up with Sheriff Clark and he was a dear friend. Mr. Wyeth stated he has been a great leader in the County and law enforcement. Councilman Larry Hesson stated it has been a pleasure working with Sheriff Clark and he has been head and shoulders above others, and Hendricks County has had some great Sheriffs.

Sheriff Clark thanked the Council and other officials for being great partners and supporters throughout his career. Sheriff Clark stated his Chief Deputy, Roger Call is also retiring and has been a great partner and excellent public servant.

Commissioner Phyllis Palmer stated that the Sheriff's son, Chance Clark was recently awarded a research grant from Purdue University in obtaining his PHD in Plant Genetics.

IN THE MATTER OF RONALD REAGAN EMINENT DOMAIN SETTLEMENT

Commissioner Dennis Dawes reported that he, Engineer John Ayers and County Attorney Partner Graham Youngs had met to mediate the successful settlement for a right-of-way on Ronald Reagan Parkway north of 1000 North.

IN THE MATTER OF AUDITOR BUSINESS

Auditor Nancy Marsh provided the 2022 Council Appointees and 2023 proposed Council Calendar to the Council for their review before the January 3, 2023 Council meeting.

Council President David Wyeth wished everyone a Merry Christmas and Happy New Year. There being no further business to come before the Council, the meeting was adjourned at 10:10 a.m. to be followed by a Council Workshop.

HENDRICKS COUNTY COUNCIL WORKSHOP MEMORANDA DECEMBER 20, 2022 10:20 A.M.

Present at the Council Workshop were Councilmen Caleb Brown, David Cox, Larry Hesson, Larry Scott, Brad Whicker, Eric Wathen, David Wyeth, Auditor Nancy Marsh, Legal Counsel Rhonda Cook, Commissioner Phyllis Palmer, Commissioner Dennis Dawes and County Engineer John Ayers.

Indiana State Representative and Chairman of Ways and Means, Jeff Thompson was present to offer input on different subjects of concern to the County Council.

Representative Thompson stated, as Chairman of Ways and Means, he is fielding many budget requests.


Representative Thompson stated the Health Study identified a huge disparity in how much each county spends per capita which ranged from \$1.25 per person to \$83.00 per person. Maternal Child Health, Tobacco, and Obesity are top priorities with upcoming discussion in the Legislature to determine how to best remedy the disparity.

Representative Thompson and the County Council discussed the following subjects:

- Food & Beverage Tax
- TIF District
- MPO and INDOT Funding
- Road Condition of US 39 North of I-74
- Property Assessment Concerns and Long Term Solutions
- Court Ruling on Homestead 1% Cap on Accessory Structures
- Potential Ronald Reagan Road Funding
- Surplus Refund and Potential Needs
- 1782 Notice – 10 Day Return Notice Concern
- Fire Territory Legislation HB3401
- Building Project Referendum Limits
- Gas Tax Automatic Increase Sunset
- Electric Vehicle Road Usage
- County Council Legislative Committee
 - Cost of Maintaining State Paid Elected Officials Staff
 - Public Defender Reimbursement Rate & Including Misdemeanors Cases
- Timely Advertising with one Weekly Newspaper

HENDRICKS COUNTY COUNCIL


Caleb Brown


David Cox


Larry R. Hesson

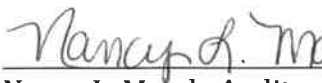

Larry R. Scott


Eric Wathen


Brad Whicker


David Wyeth

ATTEST:


Nancy L. Marsh, Auditor