

**HENDRICKS COUNTY COUNCIL  
JUNE 5, 2018**

The regular meeting of the Hendricks County Council was called to order by President Eric Wathen on Tuesday June 5, 2018 with the following in attendance: Caleb Brown, Larry Hesson, Mike Rogers, Eric Wathen, Brad Whicker, David Wyeth, Financial Administrator Tami Mitchell, and Auditor Nancy Marsh. The Pledge of Allegiance was led by President Eric Wathen.

**IN THE MATTER OF THE AGENDA**

It was moved by Brad Whicker and seconded by David Wyeth to adopt the agenda as presented. Motion carried 6-0.

**IN THE MATTER OF THE MAY 1, 2018 MINUTES**

It was moved by David Wyeth and seconded by Larry Hesson that the minutes be approved as presented. Motion carried 6-0.

**IN THE MATTER OF PARK BOARD DISCUSSION**

Council President Eric Wathen reported he had met with Commissioner Matt Whetstone, Councilman Larry Hesson, Councilman Mike Rogers and Park Board member Bill Harrington. It was the consensus that the group will work toward a mutual agreement. It was moved by Brad Whicker and seconded by Caleb Brown to table the Park Board discussion until the July 3, 2018 Council meeting. Larry Hesson stated he could not be present for the July meeting and asked that the motion be amended to the August 7, 2018 Council Meeting. Motion carried 6-0.

**IN THE MATTER OF THE CHIEF PUBLIC DEFENDER**

Chief Public Defender Jeremy Gooch was present to notify the Council he was now ready to hire the investigator for the office. Auditor Marsh stated that she had plugged in the salary for a PAT 3 during the budget as that was the rank of another investigator. Mr. Gooch informed the Council that Human Resources has ranked it at a PAT 4 rather than a PAT 3 and he was requesting permission to hire the investigator at a salary of \$43,500. It was moved by Larry Hesson and seconded by David Wyeth to approve Mr. Gooch's request to hire above the PAT 4 midpoint at \$43,500.00. Motion carried 6-0.

**IN THE MATTER OF THE PROBATION EMPLOYEE UPDATES**

Susan Bently, Probation Director, made the following requests: Request 1 to approve hire of Jason Austin to replace Dwight Stevenson as Juvenile Probation Officer at a salary of \$45,246.00 plus benefits; Request 2 to approve hire of Richard Martinez to replace Chad Koebcke at a salary of \$33,807.00 plus a bilingual supplement of \$5,000.00; Request 3 to hire an additional Home Detention Officer at a salary of \$33,807.00 of which \$23,400 will be

funded by a DOC Grant; and Request 4 to hire additional juvenile Probation Officer/Assistant JDAI Coordinator at a salary of \$33,807.00 less the JDAI Grant of \$25,000 for a net cost for the new salary of \$8,807.00. Ms. Bentley stated the total savings to be \$37,937.00. Councilman Caleb Brown asked if there is a mechanism to track those that are moved from the jail to Home Detention. Prosecutor Pat Baldwin stated there was no reason to expect a reduction with the growth in the population but the process might be accomplished quicker and might relieve the jail population. Susan Bentley stated it is hard to predict and there would be significant complexity in tracking the population. Ms. Bentley stated that each probation officer would ideally serve a maximum of 30 juveniles and 120 adults but our officers serve significantly more. Councilman Brad Whicker stated he was in favor of getting people out of jail and into Home Detention. Councilman Larry Hesson asked if Probation had the space to accommodate two new officers. Ms. Bentley stated they did not need additional space and they will be sharing space and using mobile space. It as moved by Larry Hesson and seconded by Caleb Brown to approve requests 1 through 4 with the Bilingual Supplement to be shown separately as a supplement and that any position funded through a grant sign the agreement that they understand if the grant goes away, the job may also go away. Motion carried 6-0.

### **IN THE MATTER OF HUMAN RESOURCES**

Erin Hughes, Human Resources presented a list to the Council of those departments who had submitted their performance reviews by the June 1, 2018 deadline. Council President Eric Wathen thanked those that had submitted them timely and encouraged the remaining offices to get their performance reviews turned in.

On behalf of County Manager, Todd McCormack presented requests for the Council's approval. The first request was to change the FMLA system. Ms. Hughes stated we use the roll back system and it would be easier for the department heads to use the roll forward method.

Ms. Hughes stated that the Benefits Committee had recently agreed to a maximum 70 hour payout of PTO time upon resignation. Council President Eric Wathen stated it had been discussed at the Benefits Committee Meeting and the Commissioners were on the same page. It was moved by Brad Whicker and seconded by Caleb Brown to approve these changes. Motion carried 6-0.

Ms. Hughes presented a third item where employees would be able to roll carry-over PTO days into the FMLA bank but would only be able to use those hours for qualified FMLA. It was moved by Larry Hesson and seconded by David Wyeth to approve the request. Motion carried 6-0.

Erin Hughes, Human Resources presented a request for one job description in the Treasurer's Office to go from part-time to full-time with no change in classification of Tax Processing Deputy FLSA: Non-Exempt; Pay Band OSS 4, account 1001.10307.000.0103. Treasurer Shawn Shelley was present to answer questions. It was moved by David Wyeth and seconded by Mike Rogers to approve the request as presented. Motion carried 6-0.

Ms. Hughes reported to the Council that they should have received an email from Todd McCormack Monday night regarding the Prosecutor's requested pay for a part time deputy prosecutor. Ms. Hughes stated that she believed that the request from Pat Baldwin for a part-time employee's rate of pay was required to go before the Council. Auditor Nancy Marsh stated that she did not believe it was necessary to go before the Council as it was a part time job, under the amount paid for other deputy prosecutors and part time employees addressed by number 4 in the Salary Ordinance and were not governed by the Resolution 2017-12 to hire full time employees. Ms. Marsh requested a copy of Todd McCormack's email on the subject.

**IN THE MATTER OF DESIGNATION OF ORGANIZATIONS TO RECEIVE  
ONE HALF (1/2) OF INNKEEPERS TAX IN EXCESS OF 5%**

It was moved by Larry Hesson and seconded by David Wyeth to approve the 50/50 split between the Park and Fair of the Innkeepers Tax in excess of 5% for 2019. Councilman Mike Rogers stated he had expected some meaningful input from those requesting the funding but there was nothing included. Motion carried 5-1 (MR).

**IN THE MATTER OF DISCUSSION OF THE DARK STORE THEORY LAW SUITS**

Councilman Larry Hesson gave a brief history of the Dark Box store issue. Assessor Larry Scott offered some input and stated it was a serious problem. Mr. Hesson stated Boone County had decided to go all in to fight the appeals and had appropriated up to \$400,000. Mr. Hesson stated that if the theory is accepted, there is nothing to keep the theory from applying to all classes of property. Mr. Hesson offered that we might entertain contributing to Boone County's legal expenses, which would be in our best interests to make sure the appeals are not successful. Mr. Hesson stated contributing can be done through an interlocal agreement. Mr. Scott and Mr. Hesson stated the Legislature had tried to address the problem through legislation but it is difficult to define. Councilman Rogers asked if the Association of Indiana Counties has taken any position on financial support. Mr. Hesson stated that they have worked with the legislature trying to affect legislative change but had not made a financial commitment.

Assessor Scott was asked a few questions about the appeal process. Mr. Scott stated when he took office appeals went back to 2004 and usually they get 750 to 1100 appeals. Mr. Scott stated appeals are labor intensive.

Councilmen Mike Rogers and Brad Whicker stated care needs to be taken during the planning process to obtain commitments to not appeal the assessed value.

**IN THE MATTER OF THE EMERGENCY ADDITIONAL APPROPRIATIONS**

Auditor Nancy Marsh was asked about the status of the Auditor's additional appropriation that is on appeal. Ms. Marsh stated she had submitted the job description but had heard nothing back. It was moved by Caleb Brown and seconded by Brad Whicker to approve

Treasurer's additional number 2 in the amount of \$9,500.00; EMS additional number 3 in the amount of \$1,000.00; Election additional number 4 in the amount of \$2,500.00; Court Administration number 5 in the amount of \$3,000. Motion carried 6-0. It was moved by Caleb Brown and seconded by Larry Hesson to approve Immunization Grant number 7 in the amount of \$42,662.00; number 8 in the amount of \$28,000.00; number 9 in the amount of \$5,406.00; number 10 in the amount of \$6,058.00; number 11 in the amount of \$10,093.00; number 12 in the amount of \$132.00; number 13 in the amount of \$168.00 and number 14 in the amount of \$776.00; Interpreter Grant number 15 in the amount of \$2,000.00 and Surveyor's Reductions number 16 in the amount of \$232.00 and number 17 in the amount of \$804.00. Motion carried 6-0. It was moved by Caleb Brown and second by Brad Whicker EDIT additional number 6 in the amount of \$936,836.00. County Highway Engineer stated the request was appropriating Boone County's reimbursements for their portion of participation in the Ronald Reagan Parkway. Mr. Ayers stated that Boone County has backed away because of a conflict with Whitestown so the agreement has been reduced to Boone County's participation through the Environmental Study. Motion carried 6-0.

### **REALLOCATION OF FUNDS**

It was moved by David Wyeth and seconded by Larry Hesson to approve Court Administration transfer 1 in the amount of \$457.00; Chief Public Defender transfer number 2 in the amount of \$500.00; number 3 in the amount of \$1,000.00; number 4 in the amount of \$1,000.00; number 5 in the amount of \$780.00; number 6 in the amount of \$1,750.00; number 7 in the amount of \$200.00; number 8 in the amount of \$1,844.00; number 9 in the amount of \$3,000.00; number 10 in the amount of \$2,000.00; Work Release transfer number 11 in the amount of \$298.48; number 12 in the amount of \$1,242.40; number 13 in the amount of \$354.34; number 14 in the amount of \$158.69; number 15 in the amount of \$3,940.77; number 16 in the amount of \$2,067.82; number 17 in the amount of \$499.42; number 18 in the amount of \$2,877.20; number 19 in the amount of \$5,000.00; number 20 in the amount of \$495.00; number 21 in the amount of \$625.00; number 22 in the amount of \$625.00; number 23 in the amount of \$55.00; number 24 in the amount of \$625.00; number 25 in the amount of \$5,000.00; JDAI DOC Grant number 26 in the amount of \$1,193.31; number 27 in the amount of \$2,215.03; number 28 in the amount of \$2,758.83; number 29 in the amount of \$66.00; and number 30 in the amount of \$394.65. Motion carried 6-0.

### **OTHER COUNCIL BUSINESS**

Receipt of the Status of Funds was acknowledged.

Auditor Marsh reported she had compared Food & Beverage revenue numbers with Johnson County and we are very similar.


Council President reported he had attended the Sheriff's Association meeting hosted by Sheriff Clark and found it to be very interesting and informative.

Council President reported he had received the following communications:

- Charter Communications regarding their fiber network and the requirement to have a Spectrum Receiver on each TV.
- DJO Power Motion regarding the closing of the DJO facility located at 790 Columbia Road, Plainfield, Indiana with permanent loss of employment for 70 employees.

There being no further business to come before the Council, upon motion made by Brad Whicker and seconded by David Wyeth, the meeting was adjourned at 10:30 on June 5, 2018.


HENDRICKS COUNTY COUNCIL

  
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Caleb M. Brown

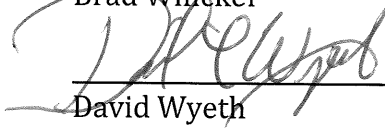
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Larry R. Hesson

(absent)  
Jay Puckett

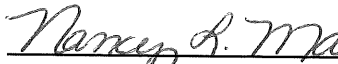
  
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Michael C. Rogers

  
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Eric Wathen

  
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Brad Whicker

  
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David Wyeth

ATTEST:

  
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Nancy L. Marsh, Auditor

**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.	Auditor	1001.10203.000.0102	Deputy		Table
2.	Treasurer	1001.10307.000.0103	Deputy	\$9,500.00	\$9,500.00
3.	EMS	1001.20211.000.0142	Supplies & Equip.	\$1,000.00	\$1,000.00
4.	Election	1001.30200.000.0146	Attorney	\$2,500.00	\$2,500.00
5.	Court Administration	1001.33800.000.0160	Autopsies	\$3,000.00	\$3,000.00
6.	EDIT	1112.33220.000.0143	RR Pky. Design	\$936,836.00	\$936,836.00
7.	Immunization Grant	8130.18631.000.0214	Nurse	\$42,662.00	\$42,662.00
8.	Immunization Grant	8130.18632.000.0214	PT Adm. Asst.	\$28,000.00	\$28,000.00
9.	Immunization Grant	8130.13590.000.0214	FICA/Medicare	\$5,406.00	\$5,406.00
10.	Immunization Grant	8130.13591.000.0214	PERF	\$6,058.00	\$6,058.00
11.	Immunization Grant	8130.13592.000.0214	Group Insurance	\$10,093.00	\$10,093.00
12.	Immunization Grant	8130.13593.000.0214	Unemployment	\$132.00	\$132.00
13.	Immunization Grant	8130.13594.000.0214	Worker's Comp.	\$168.00	\$168.00
14.	Immunization Grant	8130.33000.000.0214	Mileage/Travel	\$776.00	\$776.00
15.	Interpreter Grant	9108.30702.000.0160	Interpreters	\$2,000.00	\$2,000.00
16.	Reduction Surveyor	1001.10600.127.0106	Surveyor	(\$232.00)	(\$232.00)
17.	Reduction Surveyor	1202.10600.127.0106	Surveyor	(\$804.00)	(\$804.00)

Adopted this 5<sup>th</sup> day of June, 2018 by the following vote:

**AYE**

**NAY**

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Caleb M. Brown

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Caleb M. Brown

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Larry R. Hesson

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Larry R. Hesson

(absent) \_\_\_\_\_

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Jay R. Puckett

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Michael C. Rogers

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Eric Wathen

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Eric Wathen

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Brad Whicker

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Brad Whicker

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David Wyeth

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David Wyeth

ATTEST: \_\_\_\_\_

Nancy L. Marsh, Auditor

## 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.	Court Administration	1001.20100.000.0160	1001.44000.000.0160	\$457.00	
2.	Chief Public Defender	1001.16602.000.0166	1001.20100.000.0166	\$500.00	
3.	Chief Public Defender	1001.16602.000.0166	1001.20208.000.0166	\$1000.00	
4.	Chief Public Defender	1001.16602.000.0166	1001.30510.000.0166	\$1,000.00	
5.	Chief Public Defender	1001.16602.000.0166	1001.32800.000.0166	\$780.00	
6.	Chief Public Defender	1001.16602.000.0166	1001.33000.000.0166	\$1,750.00	
7.	Chief Public Defender	1001.16602.000.0166	1001.33400.000.0166	\$200.00	
8.	Chief Public Defender	1001.16602.000.0166	1001.37315.000.0166	\$1,844.00	
9.	Chief Public Defender	1001.16602.000.0166	1001.42701.000.0166	\$3,000.00	
10.	Chief Public Defender	1001.16602.000.0166	1001.44000.000.0166	\$2,000.00	
11.	Work Release	1122.15405.000.0154	1122.15420.000.0154	\$298.48	
12.	Work Release	1122.15405.000.0154	1122.15424.000.0154	\$1,242.40	
13.	Work Release	1122.15406.000.0154	1122.15420.000.0154	\$354.34	
14.	Work Release	1122.15408.000.0154	1122.15420.000.0154	\$158.69	
15.	Work Release	1122.15408.000.0154	1122.15499.000.0154	\$3,940.77	
16.	Work Release	1122.15409.000.0154	1122.15425.000.0154	\$2,067.82	
17.	Work Release	1122.15417.000.0154	1122.15420.000.0154	\$499.42	
18.	Work Release	1122.15417.000.0154	1122.15411.000.0154	\$2,877.20	
19.	Work Release	4909.15411.000.0154	4909.15400.000.0154	\$5,000.00	
20.	Work Release	4909.15408.000.0154	4909.15401.000.0154	\$495.00	
21.	Work Release	4909.15408.000.0154	4909.15403.000.0154	\$625.00	
22.	Work Release	4909.15408.000.0154	4909.15410.000.0154	\$625.00	
23.	Work Release	4909.15408.000.0154	4909.15415.000.0154	\$55.00	
24.	Work Release	4909.15408.000.0154	4909.15416.000.0154	\$625.00	
25.	Work Release	4909.15408.000.0154	4909.15499.000.0154	\$5,000.00	
26.	JDAI DOC Grant	9119.15309.000.0160	9119.13590.000.0160	\$1,193.31	
27.	JDAI DOC Grant	9119.15309.000.0160	9119.13591.000.0160	\$2,215.03	
28.	JDAI DOC Grant	9119.15309.000.0160	9119.13592.000.0160	\$2,758.83	
29.	JDAI DOC Grant	9119.15309.000.0160	9119.13593.000.0160	\$66.00	
30.	JDAI DOC Grant	9119.15309.000.0160	9119.13594.000.0160	\$394.65	

Adopted this 5<sup>th</sup> day of June, 2018.

AYE

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Caleb M. Brown

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Caleb M. Brown

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Larry R. Hesson

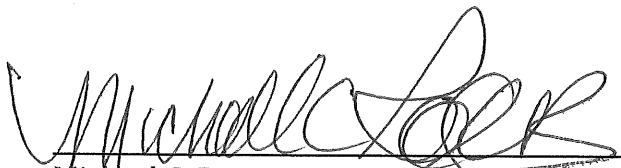
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Larry R. Hesson

(absent) \_\_\_\_\_

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Jay R. Puckett

  
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Michael C. Rogers

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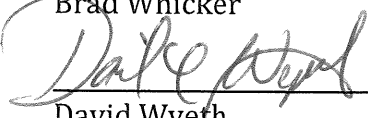
Eric Wathen

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Eric Wathen

  
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Brad Whicker

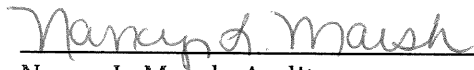
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Brad Whicker

  
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David Wyeth

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David Wyeth

ATTEST:

  
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Nancy L. Marsh, Auditor