



## **HENDRICKS COUNTY BOARD OF COMMISSIONERS** **MINUTES OF THE DECEMBER 26, 2018 MEETING**

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Wednesday, December 26, 2018 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:

Matthew D. Whetstone	Commissioner, President
Phyllis A. Palmer	Commissioner, Vice President
Bob Gentry	Commissioner
R. Todd McCormack	Executive Director
Gregory E. Steuerwald	County Attorney
Nancy Marsh	Auditor
Eric Wathen	Councilman, President
John E. Ayers	Engineer
Erin Hughes	Human Resources Administrator
Kevin Cavanaugh	Facilities Manager
Eric Ivie	Parks and Recreation Interim Superintendent
Larry Scott	Assessor
Nicole Lawson	Chief Deputy Assessor
Charlene Cuthbertson	Assessment Deputy
Heidi House	Personal Property Clerk
Doug Morris	I.T. Director
Dave Gaston	Surveyor
James McBryant	Cypress Manor Administrator
Curt Higginbotham	Highway Department Superintendent
Krista Click	Environmental Health Director
Suzanne Baker	Senior Planner

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

Commissioner Whetstone opened the meeting at 9:00 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison. Gregory Steuerwald gave a brief prayer for those who wished to participate.

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### **IN THE MATTER OF BID OPENING FOR ANNUAL TRENDING AND RELATED SERVICES**

Commissioner closed the bids for Annual Trending and Related Services at 9:03 AM and proceeded to open the one (1) bid received from Nexus Group Inc. in the amount \$237,500.00.

Larry Scott reported the bid would be reviewed and Nicole Lawson would present a recommendation on a later date.

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### **IN THE MATTER OF MINUTES**

Commissioner Palmer moved to approve the Minutes of the November 27, 2018 Commissioners' Meeting as amended. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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### **IN THE MATTER OF CLAIMS**

Commissioner Gentry moved to approve Payroll Check Numbers 110409 through 110413, Direct Deposit Check Numbers 173018 through 174017, and all Budgetary Claims presented from the Auditor's Office for the period

beginning December 13, 2018 and ending December 26, 2018, dated December 26, 2018. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF PROPOSED VACATION OF ROADWAY**

Petitioner, Martin C. Farms, Inc. and Merlin E. Martin Family Limited Partnership, was not present. Remonstrators, Jeffrey and Stephany Myrick, were present and advised they are still opposed to any portion of the proposed roadway being vacated/closed.

Commissioner Palmer moved to table the matter until the January 8, 2019 Commissioners' Meeting to contact the Petitioner. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF CONGRESSIONAL DISTRICT OFFICE LEASE**

Quincy Cunningham, representative from James Baird's Office, and Greg Steuerwald presented the final version of the Congressional District Office Lease for signing. The decision to proceed with the Congressional District Office Lease was made during the December 10, 2018 Commissioners' Meeting.

Doug Morris requested confirmation the Congressional District Office would continue to provide their own broadband service and access through Comcast; Quincy Cunningham confirmed they would provide their own.

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**IN THE MATTER OF CYPRESS MANOR UPDATE**

Ron Mead, representative from Hendricks Regional Health (HRH), reported that since signing of the Agreement with the County and HRH on March 17, 2018, an analysis has been conducted to review what impact there would be on the Cypress Manor employees when HRH takes over the facility. Ron Mead discussed the impacts it would have on the employees and provided details as to what HRH is willing to offer the affected employees to offset the changes in pay, PTO, retirement, and insurance premium/deductible assistance. In an effort to offset the impact to the affected employees, Ron Mead stated HRH is willing to offer the following to the employees of Cypress Manor:

- Ninety-six (96) hours of additional PTO would be added to the employees PTO bank for the first year to offset the County paid Holidays.
- Pay rate as of the date of transfer would remain the same and as the job descriptions are transitioned to HRH, any employee below the HRH wage would be increased to the twenty-fifth (25) percentile of the HRH wage scale, and any employee above the HRH wage scale would be red-lined and would receive an annual bonus instead of a wage increase until their pay rate is within the HRH wage scale.
- Medical insurance premiums would be offset by adding the premium difference to the employees pay rate and would be adjusted for the tax impact of the pre-tax amount.

Ron Mead advised there is one (1) employee within one (1) year of being vested in PERF and recommended leaving the employee as a County employee until after they are vested.

There was discussion on the matter amongst the Commissioners, Ron Mead, James McBryant, Councilman Wathen, and Nancy Marsh. Commissioner Palmer inquired if the employees are aware of the transfer. Ron Mead advised they have not shared the details with the employees as HRH did not want to speak before finalizing the terms with the Commissioners. James McBryant reported he has spoken with the employees some, but not much since the transition was prolonged and advised he would be the communicator with the employees. Commissioner Whetstone advised Cypress Manor has recently been added to the list of historic landmarks, along with several other County Homes throughout Indiana.

James McBryant advised he thinks the transfer to HRH is a mistake and believes every county should have a County Home and worries about privatization of the facility and losing its identity. Cypress Manor is one (1) of the remaining eleven (11) County Homes operating out of ninety-two (92) counties. Commissioner Palmer agreed with James McBryant and feels there is a need for the facility and stated it shows the County cares about the residents. Commissioner Palmer stated HRH reimbursing the County for the employee expenses has been working well and recommends continuing the operation of the facility as is being done now and is opposed to the

permanent transfer to HRH.

Commissioner Whetstone advised HRH is a County hospital as well and feels this is a merger of two (2) entities into one (1) as the Commissioners still appoint the HRH Board and the County still has some level of control.

Commissioner Whetstone moved to approve the permanent transfer of the Cypress Manor employees to HRH effective February 9, 2019 (fifth pay period of 2019) with the terms as presented, with the one (1) employee being allowed to remain a County employee until one (1) month after becoming vested in PERF. Commissioner Gentry seconded the motion and the motion approved by majority; Commissioner Palmer opposed stating she did not think this was in the best interest of the employees.

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**IN THE MATTER OF PURDUE EXTENSION CONTRACTUAL SERVICES AGREEMENT**

Richard Hettenvan, representative from Purdue Extension, presented the Purdue Extension Contractual Services Agreement for 2019 and requested approval.

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

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**IN THE MATTER OF ZA 459/18: CLOVER COMMUNITIES HENDRICKS LLC.**

Suzanne Baker presented an Ordinance to amend the zoning map of Hendricks County, from AGR/Agriculture Residential District to RE/Multi-Family Residential District, commonly known as ZA 459/18: Clover Communities Hendricks LLC., S29-T16N-R2E, Washington Township, parcel totaling 10.26 acres, located on the north side of East county Road 200 North, approximately 0.26 mile west of north Ronald Reagan Parkway and recommended approval. Suzanne Baker stated the Plan Commission unanimously approved this zoning amendment during their December 11, 2018 Meeting, 4-0-0.

Rob Sweet, representative from McBride Dale Clarion for Clover Communities Hendricks LLC., reported this will be a 125-unit 55+ community and will not be subsidized housing.

Commissioner Gentry moved to approve the Ordinance as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Ordinance No. 2018-29 to ZA 459/18: Clover Communities Hendricks LLC.

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**IN THE MATTER OF 2019 MEDICAL INSURANCE AGREEMENTS**

Caitie Hodge, representative from H.J. Spier Co., Inc., and Erin Hughes presented the Plan supervisor Agreement with United Group Services, Inc., the Employee Benefits Consulting Agreement with H.J. Spier Co., Inc., the Business Associates Agreement and Pharmacy Services/Business Associates Agreement with True RX, the Specified Disease – Organ & Tissue Transplant Application with HCC Life Insurance company, and the Flexible Benefits Plan Administrative Services Agreement and Health Reimbursement Arrangement Administrative Services Agreement with The Howard E. Nyhart Company, Inc., and requested approval. The terms for 2019 are the same as the 2018 terms.

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

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**IN THE MATTER OF ELECTED OFFICIALS**

Commissioner Whetstone reported a letter of appreciation was received from Judy Pingel thanking Ana Gonzalez and Heidi House in the Assessor's Office for their assistance in taking care of a matter for her.

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**IN THE MATTER OF 2019 COMMISSIONERS' APPOINTMENTS**

Commissioner Gentry moved to appoint Terry Dillon to the Board of Trustees of Hendricks Regional Health through December 31, 2022. Commissioner Whetstone seconded the motion. Commissioner Palmer requested a conversation be held with Terry Dillon instead of relying on a recommendation letter from Hendricks Regional

Health. The motion was approved by majority 2-1-0; Commissioner Palmer opposed noting a precedent had been set for years to consider and interview people for the appointments.

Commissioner Gentry moved to appoint Commissioner Whetstone to the Indianapolis Airport Authority Board through December 31, 2022. Commissioner Whetstone seconded the motion. Commissioner Palmer requested interviewing interested individuals who live closer to the Airport and who are directly impacted by decisions of the Indianapolis Airport Authority Board. Commissioner Whetstone and Commissioner Gentry expressed the need for a Commissioner to be appointed to the Board to be kept abreast of the Airport's ongoing activities. The motion was approved by majority 2-1-0; Commissioner Palmer opposed.

Commissioner Palmer moved to appoint Stan Ryland to the Drainage Board through December 31, 2021. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whetstone moved to appoint Brenda Myers to the Capital Improvement Board through December 31, 2019. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whetstone moved to appoint Eric Wathen to the MPO Policy Board, Tim Dombrosky to the MPO Policy Board as the Alternate, and John Ayers to the MPO Technical Board through December 31, 2019. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Gentry moved to appoint Brett Clark, Sean Horan, Curt Higginbotham, and Phyllis Palmer to the Weather Closing for County Buildings Board through December 31, 2019. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

The Commissioners requested Todd McCormack and Mila Shaffer attempt to contact the other individuals on the various Boards and Commissions to see if they would be interested in serving another term.

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**IN THE MATTER OF ATTORNEY CONFLICT OF INTEREST DISCLOSURE LETTER**

Greg Steuerwald presented a Conflict of Interest Disclosure Letter from Pollack Law Firm, P.C. for Cause No. 32D04-1801-CT-000004, Jennifer VanSlyke v. Town of Avon, et al., and recommended approval.

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

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**IN THE MATTER OF GOVERNMENT CENTER PAINTING PROPOSAL**

Kevin Cavanaugh presented a Proposal from Rose Painting Inc. in the amount of \$57,200.00 for the repair and painting of the interior walls, ceilings, bulkheads, and stairwells of the Government Center and requested approval.

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

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**IN THE MATTER OF WORK RELEASE FACILITY PAINTING PROPOSALS**

Kevin Cavanaugh presented a Proposal from Rose Painting Inc. in the amount of \$5,200.00 for the repair and painting of the Men's Showers and a Proposal in the amount of \$1,900.00 for the repair and painting of the Women's Showers at the Work Release Facility and requested approval.

Commissioner Gentry moved to approve the Proposals as presented. Commissioner Palmer seconded the motion and the motion was approved 3-0-0.

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**IN THE MATTER OF REQUEST TO DECLARE ITEMS OF NO VALUE**

Kevin Cavanaugh presented the following list of items and requested they be declared of no value so they can be disposed of:

<b>QTY</b>	<b>GENERAL DESCRIPTION</b>	<b>DETAILS</b>
1 Lot	Miscellaneous Office Supplies	Wall sorter; desk pieces; plastic organizers; etc.
2	Seating	Maroon desk chair; blue/wooden guest chair
2+	Bookcases	Broken and chipped veneer bookcases and parts
1 Lot	Solvents, Etc.	Outdated cleaning products; latex paint; caulk; etc.
1	Christmas Tree	Christmas tree that's broken and missing parts
1	Fan Coil Unit	No longer operable
1 Lot	Door and Window Casings	Metal painted to imitate wood
1 Lot	Holiday Decorations	Damaged and old holiday decorations
1	Baby-Changing Station	Doesn't meet today's standards
1	Rug	Worn out brown entry rug
1 Box	Electrical Adapters	Do not meet current code
4	Overhead Desk Cabinet	No longer have lower furniture to attach them to

Commissioner Palmer moved to declare the items of no value as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

**IN THE MATTER OF REQUEST TO ADVERTISE EXCESS ITEMS FOR SALE**

Kevin Cavanaugh presented the following list of items and requested permission to advertise the items for sale in the Hendricks County Flyer, the Republican, and on the County's website. Kevin Cavanaugh and Greg Steuerwald reported, to the best of their knowledge, no single item has a value greater than \$1,000.00 and the total of all of the items does not exceed \$5,000.00.

<b>QTY</b>	<b>GENERAL DESCRIPTION</b>	<b>DETAILS</b>
1	Table/Desk	60"L x 24"D x 29"H – grey metal
1	Table/Desk	60"L x 30"D x 29"H – grey/taupe metal
3	Storage Cabinets	72"H x 30"W x 14"D – Sandusky tan metal
10	Reception Area Seating	(4) single and (3) two-person groups – blue vinyl
1	Table	24"L x 20"D x 26 ½"H – grey laminate
4	Guest Seating	Herman Miller black metal frame
1	Cabinet	27 ½"L x 30"H x 12 ¾"D – tan metal
1	Credenza	65"L x 18"D x 29"H – wood
1	Printer Cabinet	26"L x 23"D x 29"H – dark grey metal
6	File Cabinets	Vertical 4-drawer letter size – black metal
5	File Cabinets	Vertical 4-drawer legal size – tan metal
1	Card and File Cabinet	Vertical 6-card and 2-letter size file below – grey metal
1	TV Cabinet/Armoire	Wood laminate
1	Guest Seating	HON black metal frame w/grey fabric
3	Guest Seating	HON black metal frame w/burgundy fabric
1	Executive Seating	LA-Z-BOY style No. 092218
3	Child Tables	BOLA – ivory metal
2	Child Seating	Blue upholstered
1	Card File	Larson – beige metal
1	Desk	54"L x 31"D x 29"H – dark grey steel
1	Clock Radio	Sony Dream Machine
1	Camera Bag	Samsonite – nylon
1	Work Bench	Light grey metal frame w/laminate top
1	Desk/Table	34"L x 23"D – beige metal
1	Drafting Table	72"L x 38" D – grey steel base w/green laminate top
1	Pedestal Sink and Base	J.L. Mott Iron Works Victrecus 880 – white cast iron
1	Cornice Pedestal Sink and Base	Mancesa P.247 – white porcelain
18-20	Cabinet Doors	Grey laminate

2	Document File Cabinets	18”H x 11”W x 24”D – green metal
1 Lot	Frosted Glass Panels	Various sizes
1	Black Board	74 ½” x 51” – aluminum frame
1	Printer and Paper Cart	32”H x 30”W x 32”L – aluminum
1	Printer and Paper Desk Stand	51”H x 24”W x 20”D – tan metal
1 Lot	Landscape Edging	Easy-Edge black landscape border
4	Trash Can	One tan; one grey; two brown – plastic w/lids
9	Plant Stand	24”H – ivory ceramic
1	Wire	Roll
2	Sawhorse	Wooden
1	File Cabinet	Lateral 2-drawer legal – tan metal
1	File Cabinet	36”W x 23”D x 40”H 3-drawer lateral – wood/laminate
1	Desk	48”W x 30”D x 29”H – wood laminate
1	Table	Wooden base with laminate top
1	Cabinet and Counter Support	32”W x 26”D x 41”H – wood w/Corian top
1	Sofa	63”L x 32”H x 28”D – wood w/mauve fabric
1	Sofa	63”L x 32”H x 28”D – wood
2	Accent Chair	30”W x 32”H x 28”D – wood w/mauve fabric
2	Executive Seating	Steelcase – vinyl burgundy

Commissioner Gentry moved to approve the list and proceed with advertising as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

**IN THE MATTER OF EMPLOYEE NURSING MOTHER’S SPACE**

Kevin Cavanaugh reported he is still researching alternate locations within the Government Center to create the space for employees who are nursing mothers besides creating a new opening onto the wooden floor by the Meeting Rooms. Kevin Cavanaugh advised he is looking at constructing a moveable space in the storage/receiving area of the Government Center and would present prices at a later date.

Commissioner Palmer suggested utilizing a portion of the Custodial storage area east of the Breakroom. Kevin Cavanaugh advised he does not want to use this space as his Custodial staff uses this area as one of their storage areas for miscellaneous supplies. Commissioner Palmer stated it’s important to create a space that is suitable and comfortable for the nursing mothers without causing interference to other employees or jeopardizing the integrity/design of the building.

Commissioner Whetstone and Commissioner Palmer inquired into utilizing Dave Gaston’s old office as it appears Dave Gaston has permanently relocated his office to the CORS Station area. Kevin Cavanaugh stated Dave Gaston’s old office is now used as a small conference area for the Surveyor’s Office.

Todd McCormack reported he spoke recently with one of the current nursing mothers who was almost in tears regarding several aspects of the matter; being displaced multiple times, cramped size of the area, embarrassment for having to carry their supplies throughout the building to wash them in the Breakroom sink, and almost being walked in on by the Custodial staff on numerous occasions. Todd McCormack advised he’s very sympathetic to the employee and as a father of a daughter and a grandfather of four (4) granddaughters stated the County has a responsibility to do what is right and not try to cut corners on creating a space for the nursing mothers.

The Commissioners suggested utilizing part of the Commissioners’ Conference Room to create the Employee Nursing Mother’s Space, with enough space being left to allow continued use of the Room by the Commissioners, Council, Public Defender’s Office, etc. when needed.

Commissioner Whetstone moved to approve creating the Employee Nursing Mother’s Space by utilizing a section of the east part of the Commissioners’ Conference Room. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

**IN THE MATTER OF INDOT LETTER OF UNDERSTANDING FOR UNOFFICIAL  
LOCAL DETOUR**

John Ayers presented the INDOT Letter of Understanding for Unofficial Local Detour for West County Road 150 South and South County Road 775 West and recommended approval.

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

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**IN THE MATTER OF AWARDING THE 2019 HIGHWAY DEPARTMENT  
PRODUCTS AND SUPPLIES**

John Ayers presented the Contracts for Petroleum Traders and Pinkerton Oil that were approved but not signed during the December 11, 2018 Commissioners' Meeting.

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**IN THE MATTER OF LIABILITY INSURANCE**

Todd McCormack reported he met with John Parmley regarding a review of the insurance policies and possible renewals and advised he and John Parmley recommend increasing a couple of deductibles to reduce the premiums.

Councilman Wathen inquired if employees are required to have alcohol and drug tests for any employee involved in an accident while operating a County vehicle. Todd McCormack stated they are only required if the accident causes injury to themselves or to others. Councilman Wathen recommended amending the Hendricks County Employee Manual to require alcohol and drug tests for any employee involved in an accident while operating a County vehicle. Commissioner Palmer advocated random drug testing for all employees who operate a County vehicle and is alarmed by the number of vehicle claims the County has and inquired if additional driver training should be provided to employees.

It was the consensus of the Commissioners to proceed with amending the Employee Manual to require alcohol and drug testing for any employee involved in an accident while operating a County vehicle.

John Parmley advised he would research additional driver training courses that may be available to the County.

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**IN THE MATTER OF COUNTY ATTORNEY**

No matters presented.

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**IN THE MATTER OF COMMISSIONERS**

Commissioner Whetstone inquired if a new Parks and Recreation Superintendent had been hired. Eric Ivie reported one has been chosen but isn't sure if Erin Hughes has sent out the Offer Letter yet. Todd McCormack advised he was still waiting to hear back from Paul Miner with the selected start date of the Superintendent, along with the two required Human Resources forms, in order for the Offer Letter to be created and approved. Eric Ivie advised he would reach out to Paul Miner. The Commissioners thanked Eric Ivie for his communication and cooperation while serving as Interim Superintendent and advised the same was expressed to the Parks Board Executive Committee by Commissioner Whetstone and Councilman Wathen.

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**IN THE MATTER OF WISHES TO BE HEARD**

No matters presented.

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**IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE**

**TITLES ENDORSED**

1. 2011 Ford Taurus VIN: 1FAHP2EW8BG21530 Sheriff's Department

**CHECKS RECEIVED**

1. \$4,770.00 Freije Auctions & Marketing, LLC. Sheriff's Department – Auctioned Vehicles

**STAFF REPORTS RECEIVED**

1. Receipt was acknowledged for the Engineering Department Report of December 26, 2018 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of December 26, 2018 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of December 26, 2018 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of December 26, 2018 from Doug Morris.
5. Receipt was acknowledged for the Human Resources Report of December 10, 2018 through December 21, 2018 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of November 19, 2018 through November 21, 2018, November 26, 2018 through November 30, 2018, and December 3, 2018 through December 7, 2018, and December 10, 2018 through December 14, 2018 from Curt Higginbotham.
7. Receipt was acknowledged for the Parks & Recreation Department Report of December 21, 2018 from Eric Ivie.
8. Receipt was acknowledged for the County Treasurer's Monthly Report for the month ending November 30, 2018 from Shawn Shelley.

**CORRESPONDENCE RECEIVED**

1. Letter from DNR regarding Cypress Manor being entered in the National Register of Historic Places on December 3, 2018
2. Alias Summons and Answer to Amended Complaint and Counterclaim received from Wooden McLaughlin, LLP. representing Terry Burnworth and Tammy Jackson.

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**IN THE MATTER OF ADJOURNMENT**

Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 11:00 AM on Wednesday, December 26, 2018. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

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Matthew D. Whetstone, President

*Phyllis A. Palmer*

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Phyllis A. Palmer, Vice President

*Bob Gentry*

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Bob Gentry, Member