



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE APRIL 9, 2019 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, April 9, 2019 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
R. Todd McCormack	Executive Director
Mila M. Shaffer	Administration and Public Affairs
Graham Youngs	Attorney
John Ayers	Engineer
Brett Clark	Sheriff
Kevin Cavanaugh	Facilities Manager
Nicole Lawson	Assessor
Charlene Cuthbertson	Chief Deputy Assessor
Doug Morris	I.T. Director
Ryan Lemley	Parks and Recreation Superintendent
Eric Ivie	Parks and Recreation Assistant Superintendent
Sean Horan	Emergency Management Director
Lise' Crouch	Emergency Management Coordinator/Administrative Assistant
Dr. David Stopperich	Health Officer
Krista Click	Environmental Health Director
Kandi Jamison	Director of Public Health Nursing
Sharon Mayer	Environmental Health Specialist
Jeff Corder	Public Health Preparedness Coordinator
Debbie Hoskins	Clerk
Laura Herzog	Voters Registration Supervisor
Dave Gaston	Surveyor
Catherine Haines	Court Administrator
LaDonna Hughes	Animal Shelter Supervisor/Chief Animal Control Officer
Tim Dombrosky	Planning Director
Suzanne Baker	Senior Planner

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

Commissioner Palmer opened the meeting at 9:10 AM with a quorum of two (2) Commissioners present and led the Pledge to the Flag in unison; Commissioner Whetstone was not present. Commissioner Gentry gave a brief prayer for those who wished to participate.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the Minutes of the March 26, 2019 Commissioners' Meeting as amended. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Direct Deposit Check Numbers 177122 through 177640 and all Budgetary Claims presented from the Auditor's Office for the period beginning March 28, 2019 and ending April 10, 2019, dated April 10, 2019. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF UNFINISHED BUSINESS

No matters presented.

IN THE MATTER OF BRIARWOOD ESTATES DRAINAGE ISSUES

Jerry Decker, representative from the Town of Coatesville (TOC), requested the Commissioners financially participate to fix the drainage issues in Briarwood Estates, located off of State Road 75 in Coatesville. Jerry Decker reported the TOC recently took over drainage responsibility from the County for the subdivision and would like to utilize grant funds to make the repairs, but have discovered the repairs are in excess of \$150,000.00, which will surpass the grant amount. Jerry Decker reported the drainage was not installed correctly by the developer when the subdivision was constructed and the County either didn't inspect the drainage or didn't notice the drainage being installed didn't match the drainage plans that were submitted.

Commissioner Gentry reported the design was flawed and was not inspected as single-wall pipe was buried too deep and has been crushed, resulting in drainage failures.

Dave Gaston reported the drainage was not installed as approved on the drainage plans but cannot speak for the inspections as they would've been handled by the Planning and Building Department. Dave Gaston advised if this subdivision would've remained under the County's Drainage Board jurisdiction, the Drainage Board would've done a reconstruction and charged the homeowners for the reconstruction, or the repairs would've been done under maintenance and increased the maintenance assessment.

Commissioner Palmer inquired if the homeowners are currently paying a drainage assessment to the TOC. Jerry Decker advised they are currently paying \$30.00 per month.

Commissioner Gentry stated he believes the County has some responsibility as the County did not adequately inspect the subdivision during construction and allowed improper drainage to be installed.

It was the consensus for Dave Gaston and Tim Dombrosky to review the history of the subdivision and present the details of their findings to the Commissioners to make a decision on the matter.

IN THE MATTER OF TOWN OF PLAINFIELD PROPOSED INTERLOCAL AGREEMENT FOR RELINQUISHMENT

Nate Thorne, representative from the Town of Plainfield (TOP), presented a proposed Interlocal Agreement for the relinquishment of planning and zoning authority for two (2) parcels located on the west side of South County Road 600 East/Moon Road in Guilford Township from the County to the TOP for a new elementary school; Parcel No. 32-15-09-200-008.000-011 and 32-15-09-200-009.000-011. Nate Thorne reported the TOP plans to annex the entire area up to and including the parcels, when legally allowed to, and have had preliminary meetings with all property owners and all property owners have advised they have no opposition to being annexed. Nate Thorne advised if, for some reason, the annexation does not occur, the authority would revert back to the County. The properties cannot be annexed at this time due to the census year.

Commissioner Palmer advised the statement of the authority reverting back to the County is not in the Agreement provided.

Commissioner Gentry inquired if the TOP would be holding the necessary Public Hearing for the annexation. Nate Thorne stated the TOP will be holding the Hearing and advised the TOP has already obtained voluntary letters of annexation and/or non-remonstrance agreements from the affected property owners and do not anticipate there being any issues.

Commissioner Gentry moved to approve the Agreement with the addition of the statement reverting the authority back to the County if the annexation does not take place. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF PLAINFIELD NATURE PRESERVE PROJECT SUPPORT LETTER

Nate Thorne, representative from the Town of Plainfield (TOP), presented the TOP's Master Plan Executive Support Summary, draft DNR map, and Project Support Letter for Plainfield Nature Preserve and requested approval. Nate Thorne reported Plainfield Nature Preserve is a proposed 1,600 +/- acre Preserve that will provide a net benefit to area wildlife while significantly advancing economic development opportunities for the area near the Nature Preserve and encompasses Sodalis Nature Park that was previously operated by Hendricks County Parks and Recreation. The plan is for the Preserve to eventually become similar to McCormick's Creek and Turkey Run.

Commissioner Gentry moved to approve the Letter as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF REQUEST FOR PUBLIC HEARING FOR PROPOSED LODGING ESTABLISHMENT ORDINANCE

Dr. David Stopperich presented the proposed Lodging Establishment Ordinance recommended by the Health Board to assure that lodging establishments are free from rodent and insect infestation by setting standards for all lodging establishments within Hendricks County and requested approval to proceed with setting a Public Hearing for the matter. Dr. David Stopperich reported the Ordinance was created from complaints received and would allow the Health Department legal backing for the enforcement of violations, up to and including fines/penalties.

Graham Youngs had some modifications that needed to be made to the Ordinance before approving it to move forward with the Public Hearing.

Commissioner Palmer instructed Graham Youngs to work with Krista Click and Dr. David Stopperich to revise the Ordinance and present the final version for consideration on a later date.

IN THE MATTER OF STOP THE BLEED

Jeff Corder requested permission to proceed with voluntary Stop the Bleed training for employees and advised the training would take approximately one to one and half hours to complete. Jeff Corder reported three (3) Stop the Bleed kits will be placed in each County building utilizing the IPEP Grant funds received for the project.

Commissioner Gentry moved to approve the voluntary employee training as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF COMMUNITY CORRECTIONS ADVISORY BOARD APPOINTMENT

Commissioner Palmer recommended Marcia Lynch be appointed to replace Bill Holland on the Community Corrections Advisory Board through December 31, 2019.

Commissioner Gentry moved to approve the appointment request as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF BUILDING FACILITIES CORPORATION APPOINTMENT

Commissioner Palmer advised a replacement for Bill Holland has not been found yet and tabled the matter.

IN THE MATTER OF PROPOSAL FOR SERVICES AS ELECTION BOARD ATTORNEY FOR 2019

Debbie Hoskins presented the Proposal for Services as Election Board Attorney for 2019 from Steuerwald, Hannon & Witham, LLP. and requested approval.

Commissioner Palmer inquired if the Clerk obtained any other proposals or requested any other proposals. Debbie Hoskins advised she did not.

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

IN THE MATTER OF 2019 MACHINE TECHNICIAN PROPOSAL

Debbie Hoskins reported she ran the Request for Proposal for 2019 Machine Technician in the Hendricks County Flyer on April 6, 2019 and in the Republican on April 3, 2019 and didn't receive any external responses and presented the internal response she received from Scott Butrum and requested approval.

Commissioner Palmer inquired if the Request was posted anywhere else, such as inside the Government Center or on the County's website. Debbie Hoskins advised it was not.

Commissioner Gentry advised the issue is if the County is legally allowed to have a full-time County employee work another part-time or contract position for the County and stated the issue is not with Scott Butrum. Commissioner Palmer agreed and stated it needs to be fair and transparent to other individuals and/or employees who might be interested in performing the work. Todd McCormack reported the labor law attorney advised it is legal for a full-time County employee to work another part-time or contract position for the County, but stated it should be done with extreme caution. Debbie Hoskins stated she would follow whatever process the Commissioners recommended for future postings. Commissioner Gentry recommended proceeding with Scott Butrum for 2019 due to the late nature of the matter and to begin revising the process for 2020 early to avoid this situation, possibly beginning in October of 2019.

Commissioner Palmer and Commissioner Gentry confirmed this is a Contract and the hiring of an assistant, renting of a truck, and liability would all be the financial responsibility of the Contract holder and not the County.

Commissioner Gentry moved to approve the selection of Scott Butrum as the 2019 Machine Technician, pending a satisfactory Contract. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF COURTHOUSE USE REQUEST

Kevin Cavanaugh presented a Courthouse Use Request from Catherine Haines for a Hendricks County Bar Association event on April 26, 2019.

It was the consent of the Commissioners to allow use of the Courthouse for the event as presented.

IN THE MATTER OF QUOTE TO PURCHASE NEW FACILITIES DEPT. SALT SPREADERS

Kevin Cavanaugh presented a Quote from Palmer Power & Truck Equipment in the amount of \$8,552.20 for the purchase of two (2) new salt spreaders for the Facilities Department and requested approval. Kevin Cavanaugh advised he has current funds available in his Budget for the purchase.

Commissioner Gentry moved to approve the Quote as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0. Commissioner Palmer does not have any affiliation with Palmer Power & Truck Equipment.

IN THE MATTER OF LETTER TO SENATOR BRAUN REGARDING OVERSIZE TRUCKS

John Ayers presented a proposed letter to Senator Braun regarding the Count's opposition to certain elements of the Federal FAST Act Reauthorization and recommended approval.

Commissioner Gentry moved to approve the letter as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF INDOT RECOMMENDATION FOR ACCEPTANCE OF BRIDGE NO. 106

John Ayers presented the INDOT Report of Contract Final Inspection and Recommendation for Acceptance Form for Bridge No. 106 and recommended approval.

Commissioner Gentry moved to approve the Form as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER NOTICE TO BIDDERS FOR BRIDGE NO. 234

John Ayers presented the Notice to Bidders for Bridge No. 234, located on Stanley Road over Clarks Creek, and recommended approval. Bids are due by 9:00 AM on May 14, 2019.

Commissioner Gentry moved to approve the Notice to Bidders as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF NOTICE TO BIDDERS FOR PAVER LAID HOT MIX ASPHALT OVERLAY FOR THE COMMUNITY CROSSINGS GRANT

John Ayers presented the Notice to Bidders for Paver Laid Hot Mix Asphalt Overlay for the Community Crossings Grant and recommended approval. Bids are due by 9:00 AM on May 14, 2019.

Commissioner Gentry moved to approve the Notice to Bidders as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF ELECTED OFFICIALS

Sheriff Brett Clark reported Judge Love read the “*Child Abuse Prevention Month*” Proclamation and placed pinwheels on the Courthouse grounds during the ceremony at the Courthouse on April 8, 2019.

IN THE MATTER OF REQUEST FOR QUALIFICATIONS FOR RIGHT-OF-WAY SERVICES

John Ayers reported five (5) responses were received for the Request for Qualifications for Right-of-Way Services and recommended continuing to use Beam, Longest and Neff.

Commissioner Gentry moved to approve the recommendation as presented, pending a satisfactory Contract. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF PUTNAM COUNTY LINE ROAD BRIDGE CLOSURE

John Ayers reported the historic truss bridge on Putnam County Line Road, just north of Hughes Road, is closed at this time while Putnam County explores their options for replacement or rehabilitation.

IN THE MATTER OF INTERLOCAL AGREEMENT WITH PUTNAM COUNTY

John Ayers reported the joint road repair project with Putnam County for County Line Road/700 West is scheduled to begin in July, pending an executed Interlocal Agreement with Putnam County. John Ayers advised he has not received the Agreement back from Putnam County.

IN THE MATTER OF WORK ZONE AWARENESS WEEK

John Ayers reported Governor Eric Holcomb proclaimed April 8, 2019 through April 12, 2019 as “*Work Zone Awareness Week*” in Indiana.

IN THE MATTER OF CYPRESS MANOR ADMINISTRATOR’S CELL PHONE

Doug Morris reported he has not heard back from James McBryant as to if Hendricks Regional Health (HRH) plans to provide him with a cell phone and advised he would follow up on the matter.

IN THE MATTER OF COMMENTS FROM THE FLOOR

No matters presented.

IN THE MATTER OF COMMISSIONERS

No matters presented.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

TITLES ENDORSED

1. 2010	Ford	Econoline E250	VIN: 1FTNE2EW1ADB01980	To Be Auctioned
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2. 2011	Chevrolet	Express Van	VIN: 1GNSHCF48B1152285	To Be Auctioned
3. 2012	Chevrolet	Tahoe	VIN: 1GNLC2EE00CR220741	To Be Auctioned
4. 2012	Ford	Taurus SE	VIN: 1FAHP2DW8CG121353	To Be Auctioned

CHECKS RECEIVED

1. \$1,216.78 State Auto Claim No. AU-0000000-447455 2015 Chevrolet – Sheriff's Department

STAFF REPORTS RECEIVED

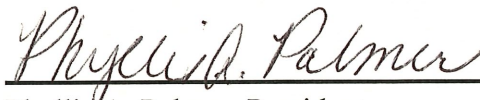
1. Receipt was acknowledged for the Engineering Department Report of April 9, 2019 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of April 9, 2019 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of April 9, 2019 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of April 9, 2019 from Doug Morris.
5. Receipt was acknowledged for the Human Resources Report of March 25, 2019 through April 5, 2019 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of March 18, 2019 through March 22, 2019 from Curt Higginbotham.
7. Receipt was acknowledged for the Animal Shelter and Control Report for the month of March 2019 from LaDonna Hughes.
8. Receipt was acknowledged for the Emergency Management Agency Report of April 9, 2019 from Sean Horan.
9. Receipt was acknowledged for the Parks & Recreation Department Report of April 5, 2019 from Ryan Lemley.
10. Receipt was acknowledged for the County Treasurer's Monthly Report for the month ending March 31, 2019 from Shawn Shelley.
11. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period January 1, 2019 through January 31, 2019 from Tim Dombrosky.
12. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period February 1, 2019 through February 28, 2019 from Tim Dombrosky.

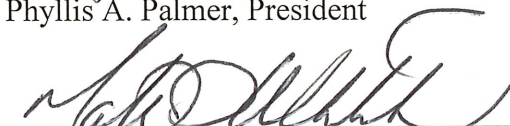
CORRESPONDENCE RECEIVED

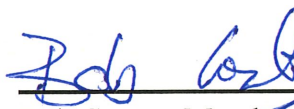
1. Hendricks County Community Corrections Audit results from the Indiana Department of Corrections and the Indiana Association of Community Corrections.
2. Minutes and Meeting Agenda from Cummins Behavioral Health Systems, Inc. Board of Directors.
3. Notice of Public Hearing by the Avon Plan Commission for PUD 19-01 Countryside Crossing PUD.
4. Notice of Tort Claim from Stab B. Hirsch representing John Baker, Sr. and Joyce Baker.

IN THE MATTER OF ADJOURNMENT

Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:17 AM on Tuesday, April 9, 2019. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.


Phyllis A. Palmer, President


Matthew D. Whetstone, Vice President


Bob Gentry, Member