



## **HENDRICKS COUNTY BOARD OF COMMISSIONERS** **MINUTES OF THE MAY 14, 2019 MEETING**

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, May 14, 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
Greg Steuerwald	Attorney
Nancy Marsh	Auditor
John Ayers	Engineer
Erin Hughes	Human Resources Administrator
Kevin Cavanaugh	Facilities Manager
Nicole Lawson	Assessor
Doug Morris	I.T. Director
Ryan Lemley	Parks and Recreation Superintendent
Eric Ivie	Parks and Recreation Assistant Superintendent
Sean Horan	Emergency Management Director
Dr. David Stopperich	Health Officer
Dave Gaston	Surveyor
Tim Dombrosky	Planning Director
Curt Higginbotham	Highway Department Superintendent
James Mardis	Regional Sewer/NPES Director
Bart Harvey	Highway and Bridge Project Manager
Shawn Shelley	Treasurer
Theresa Lynch	Recorder
Steve Carroll	Government Center Security Deputy
Paul Grider	Highway and Traffic Safety Technician

---

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

Commissioner Palmer opened the meeting at 9:15 AM with a quorum of two (2) Commissioners present, led the Pledge to the Flag in unison, and gave a brief prayer for those who wished to participate. Commissioner Whetstone was not present.

---

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

Commissioner Gentry moved to approve the Minutes of the April 23, 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 Palmer's questions regarding claims were answered. Commissioner Gentry moved to approve Payroll Check Number 110426, Direct Deposit Check Numbers 178149 through 179189, and all Budgetary Claims presented from the Auditor's Office for the period beginning April 25, 2019 and ending May 15, 2019, dated May 15, 2019. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

## IN THE MATTER OF BRIARWOOD ESTATES DRAINAGE ISSUES

Commissioner Palmer reported the Drainage Board approved 3-2 to make a transfer request to the Council for \$35,000.00 from their GDIF to assist the Town of Coatesville (TOC) with the Briarwood Estates drainage issues. Commissioner Whetstone opposed the request as he feels the TOC needs to increase their maintenance fee to meet what the County requires.

Commissioner Palmer moved to approve the request to the Council for the \$35,000.00 from GDIF to assist the TOC. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

---

### IN THE MATTER OF WEST COUNTY ROAD 300 SOUTH SPEED LIMIT TRAFFIC STUDY

John Ayers presented the West County Road 300 South Speed Limit Traffic Study for the segment of County Road 300 South from County Road 800 West to the Putnam County Line Road. John Ayers advised there has not been an Ordinance established for this segment and understands it may have been posted at 30 mph at one point in time, but stated the records establishing a speed limit cannot be located. John Ayers reported the 85<sup>th</sup> percentile speed of free flowing traffic, the speed which 85% of drivers were traveling at or below, is the most widely accepted primary criterion for selecting a suitable speed limit because it reflects the “reasonable and prudent” behavior and the collective judgment of the vast majority of drivers as to a reasonable speed for given traffic and roadway conditions. The Speed Study was conducted on April 10, 2019. John Ayers advised that during the morning peak hours 85% of drivers were traveling at or less than 46-50 mph and that during the evening peak hours 85% of drivers were traveling at or less than 41-45 mph. John Ayers recommended, based upon the results of the Traffic Study, the Commissioners schedule a Public Hearing for a proposed Ordinance to keep the current speed limit of 40 mph for this segment of West County Road 300 South.

Ted Baker, resident of 8486 W. County Road 300 S. in Coatesville, reported he’s been a resident for 35 years and stated for the majority of this time the speed limit was 30 mph and requested the records from the County approving the current 40 mph speed limit. Ted Baker advised the area is unsafe for children in the area and stated he and his neighbors are concerned for the safety of their children and requested the Commissioners consider a speed limit of 30 mph.

Commissioner Palmer reported public safety is of utmost concern and priority to the County and advised the Engineering Department and Highway Department have not been able to locate any records for this segment. John Ayers advised the inventory lists the segment at 40 mph but stated there isn’t an Ordinance in place establishing a speed limit, which is why he has initiated the process by conducting the Traffic Study and requesting the Public Hearing. Commissioner Palmer advised the posted speed limit isn’t the issue, enforcement of the speed limit is the issue, and the County does not have the funds or manpower to monitor the area 24/7.

Commissioner Gentry moved to schedule a Public Hearing for the matter on June 11, 2019, during the Commissioners’ Meeting at 9:00 AM. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

---

### IN THE MATTER OF BID OPENING FOR BRIDGE NO. 234

Commissioner Palmer moved to close the bids for Bridge No. 234 at 9:30 AM and proceeded with the opening of the following bids. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

BIDDER	BID AMOUNT
Beaty Construction, Inc.	\$1,215,914.45
Duncan Robertson, Inc.	\$1,029,761.50
HIS Constructors, Inc.	\$1,136,641.33
Rieth-Riley Construction Co., Inc.	\$1,297,989.48
Schutt Lookabill Co., Inc.	\$1,355,692.93

to the Commissioners on a later date. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

---

**IN THE MATTER OF BID OPENING FOR PAVER LAID HOT MIX ASPHALT OVERLAY**

Commissioner Palmer moved to close the bids for Paver Laid Hot Mix Asphalt Overlay at 9:30 AM and proceeded with the opening of the following bid. Commissioner Gentry seconded the motion and the motion was approved unanimously 2-0-0.

<b>BIDDER</b>	<b>BID AMOUNT</b>
Milestone Contractors, LP.	\$2,097,000.00

Commissioner Gentry moved to take the bid under advisement and for John Ayers to present a recommendation to the Commissioners on a later date. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

---

**IN THE MATTER OF UTILITY EASEMENT REQUEST**

Greg Ternet, representative from Hendricks Power, presented a Utility Easement request for the property where Sycamore Services is located, Parcel ID No. 32-11-02-300-009.000-003 and requested approval. Greg Ternet reported John Ayers, Kevin Cavanaugh, and Pat Cockrum have reviewed the Easement and have no issues.

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

---

**IN THE MATTER OF 2019 FIRST QUARTER INDOT CLAIM FOR LINK/SYCAMORE SERVICES**

Pat Cockrum, representative from LINK/Sycamore Services, presented their 2019 First Quarter INDOT Claim in the amount of \$205,557.00 and requested approval. Nancy Marsh advised all supporting documentation had been received and reviewed by the Auditor's Office and recommended approval.

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

---

**IN THE MATTER OF ESTABLISHMENT OF THE COMPLETE COUNT COMMITTEE FOR CENSUS REQUIREMENTS**

Todd McCormack reported he met with Kristi Barber, Census representative, and was advised the Commissioners need to establish a Complete Count Committee for Census requirements. Todd McCormack advised Kristi Barber recommended appointing individuals from churches, schools, not-for-profits, hospitals, social services, etc. to assist in reaching out to the hard-to-contact population to encourage Census participation. There is no set number of appointees and the Census will provide training to the Committee.

It was the consensus of the Commissioners to have Kristi Barber attend the May 28, 2019 Commissioners Meeting to provide further information and answer their questions regarding the matter before creating the Committee.

---

**IN THE MATTER OF RESCHEDULING OF COMMISSIONERS' LONG RANGE CAPITAL PLAN WORKSHOP**

Commissioner Palmer and Commissioner Gentry suggested rescheduling the Commissioners' Long Range Capital Plan Workshop for June 25, 2019 following the Commissioners' Meeting. Commissioner Palmer requested Todd McCormack check with Commissioner Whetstone's availability before scheduling the Workshop.

---

**IN THE MATTER OF PROCLAMATION DELCARING AMATEUR RADIO WEEK**

Sean Horan presented a Proclamation declaring Amateur Radio Week for the week of June 23, 2019 and requested approval. Commissioner Gentry advised he would present the Proclamation at the Ceremony.

It was the consensus of the Commissioners to approve the Proclamation as presented.

**IN THE MATTER OF VANDALIA TRAIL DRAINAGE IMPROVEMENT PLAN FOR THE  
COATESVILLE TREATMENT PLANT**

Ryan Lemley presented the Vandalia Trail Drainage Improvement Plan for the Coatesville Treatment Plant and reported the Plan has been reviewed and approved by John Ayers, Dave Gaston, and Jerry Decker and advised it now meets County requirements/standards. Ryan Lemley requested permission to proceed with the Notice to Bidders for the project.

It was the consensus of the Commissioners to proceed with the Notice to Bidders.

---

**IN THE MATTER OF TAX ABATEMENT REQUEST FROM I-70 WEST, LLC.**

Jeff Pipkin, Executive Director of the Hendricks County Economic Development Partnership (HCEDP), presented a Statement of Benefit Form (SB-1) and an Application for Designation of Economic Revitalization Area for tax abatement for I-70 West, LLC. and requested approval to proceed with presenting the request to the Council. Jeff Pipkin reported I-70 West, LLC. plans to construct a 700,449 square foot distribution/warehouse speculative building on Innovation Boulevard in the Hendricks County.

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

---

**IN THE MATTER OF RELEASE OF RIGHT-OF-WAY EASEMENT**

John Ayers presented a Release of Right-of-Way Easement for an Easement that was established for the sole purpose of providing an emergency access for the development known as White Creek Estates, Section III, a subdivision in Hendricks County and recommended approval as the Easement is no longer needed.

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

---

**IN THE MATTER OF LOCHMUELLER GROUP CONTRACT AMENDMENT FOR  
CULVERT NO. FR-050**

John Ayers presented Amendment No. 1 from Lochmueller Group in the amount of \$5,850.00 and recommended approval.

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

---

**IN THE MATTER OF NOTICE TO BIDDERS FOR DRAINAGE PROJECT AT COUNTY ROAD 600  
EAST AND COUNTY ROAD 150 NORTH**

John Ayers presented the Notice to Bidders for the Drainage Project at County Road 600 East and County Road 150 North and recommended approval. Bids are due by 9:00 AM on June 11, 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 BRIDGE NO. 222**

John Ayers presented the Notice to Bidders for Bridge No. 222, located on County Road 750 South over Branch of the East Fork of White Lick Creek, and recommended approval. Bids are due by 9:00 AM on June 11, 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**

No matters presented.

---

## **IN THE MATTER OF 2018 ANNUAL HIGHWAY DEPARTMENT REPORT**

John Ayers presented the 2018 Annual Highway Department Report and recommended approval.

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

---

### **IN THE MATTER OF PROPOSAL FROM NATIONAL GUNITE FOR BRIDGE/CULVERT REPAIRS**

John Ayers presented a proposal from National Gunite for bridge/culvert repairs to Bridge No. 61 for \$102,900.00, Culvert No. CE-038 for \$36,050.00, Culvert No. WA-015 for \$26,300.00, and Culvert No. LB-029 for \$34,600.00 and recommended approval. John Ayers advised the process National Gunite will be performing is far less expensive and less invasive than total replacement of the structures.

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

---

### **IN THE MATTER OF REQUEST TO DISPOSE OF COUNTY PROPERTY AT AUCTION**

John Ayers requested permission to dispose of the following County property at Auction: 1981 Gailon Road Grader, 1993 Ford F-250, 2008 International Dump Truck, 2009 International Dump Truck, and 2009 Falcon Hot Box. John Ayers advised all of the property has recently been replaced with new equipment.

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

---

### **IN THE MATTER OF REQUEST FOR EXPRESSION OF INTEREST FOR DESIGN SERVICES FOR THE NEW HIGHWAY DEPARTMENT FACILITY**

John Ayers presented a Request for Expression of Interest for Design Services for the new Highway Department Facility and recommended approval. Requests are due by 9:00 AM on June 11, 2019.

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

---

### **IN THE MATTER OF EVALUATION OF COUNTY ROAD CONDITIONS**

John Ayers reported Curt Higginbotham provided a summary of County Road conditions and advised the evaluations will be used to create a list of road segments to resurface this year in addition to those roads already programmed. John Ayers advised the list will be distributed once it's been completed.

---

### **IN THE MATTER OF JOINT ROAD REPAIRS WITH PUTNAM COUNTY**

John Ayers reported Mill Creek School Corporation has indicated they are not able to contribute to the joint road repair project with Putnam County for County Line Road/700 West. John Ayers stated he has not spoken with Tri-West yet.

---

### **IN THE MATTER OF UNOFFICIAL LOCAL DETOUR LETTER OF AGREEMENT WITH INDOT**

John Ayers presented the Unofficial Local Detour Letter of Agreement with INDOT for State Road 236 and recommended approval. John Ayers reported this Letter states that INDOT agrees to reimburse the County for the costs related to any damage repairs incurred while State Road 236 traffic is detoured to West County Road 650 North, North County Road 575 West, West County Road 700 North, and State Road 75 during the closure.

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 CULVERT NO. FR-050**

John Ayers presented an Agreement with Beam, Longest and Neff in the amount of \$19,455.00 for right-of-way services for Culvert No. FR-050 and recommended approval.

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

---

**IN THE MATTER OF STARKEY FARM CORPORATION SETTLEMENT AND RELEASE AGREEMENT**

John Ayers presented the Starkey Farm Corporation Settlement and Release Agreement and recommended approval.

It was the consensus of the Commissioners to approve the Agreement as presented.

---

**IN THE MATTER OF ID CARDS**

Doug Morris requested permission to continue utilizing the current ID cards as they will work with the new time clocks, doors, and gas pumps instead of assigning key fobs to all employees. Doug Morris reported the ID cards are preferred as they identify employees and contractors authorized to access the buildings.

It was the consensus of the Commissioners to continue with the current ID cards.

Nancy Marsh advised Sheriff Clark would prefer key fobs for the Sheriff's Department. Doug Morris stated the Sheriff's Department does have key fobs as the Sheriff pays for those out of his Budget.

---

**IN THE MATTER OF COURTS**

Doug Morris reported he was contacted by the Courts in October of 2018 regarding a new version of Odyssey, the Court management system, and advised Indiana Court Technology would be reviewing computers to see if they would accommodate the new system. Indiana Court Technology indicated the new version would require replacement of forty-five (45) computers and upgrading of two (2) computers. Doug Morris advised he does not have the funds in his budget to replace the computers. Doug Morris stated Court Administration is researching possible Grants for funding and he let the Judges know he did not budget for this and would prefer to wait until Court Administration reviews Grant possibilities.

---

**IN THE MATTER OF COMMENTS FROM THE FLOOR**

Don Allen, resident of Hendricks County, inquired when the new State Road 39 and I-70 interchange was scheduled to begin construction. John Ayers advised INDOT took bids last week and construction is scheduled to begin this summer, with completion in 2020.

Jay Thompson, Communications Advisory Board Member, reported he did not see an Agenda posted in the Rotunda for the May 8, 2019 Communications Advisory Board Member. Todd McCormack and Mila Shaffer advised there was an Agenda posted in the Rotunda on the easel and Mila Shaffer advised she personally removed the Agenda from the easel the evening of May 13, 2019.

Jay Thompson inquired the status of live streaming the Commissioners and Council Meetings. Doug Morris advised this option is still being researched to see if it is feasible.

Jay Thompson provided an update regarding radios from the Communications Advisory Board Meeting, stating non-Motorola brands are available to be used on the system, if approved by the County. Commissioner Palmer advised the use of only Motorola radios was done to keep the system compatible with Marion County systems and other surrounding County systems.

Jay Thompson inquired Budget requirements for the Communications Advisory Board and the time restraints of turning the Budget in to the Council in time. Nancy Marsh advised the Budget is approved by the Town of Plainfield and then submitted to the Council and must be received prior to the Public Hearing on September 1, 2019.

---

**IN THE MATTER OF COMMISSIONERS**

Commissioner Palmer advised Greg Steuerwald that Graham Youngs did an outstanding job in his absence and

---

Commissioners' Meeting Minutes – May 14, 2019

requested he pass along the Commissioners appreciation for his services.

Commissioner Palmer reported Nancy Marsh was recognized on May 8, 2019 by the AGA for outstanding service to local government. Nancy Marsh was nominated by the State Board of Accounts. The Commissioners congratulated Nancy Marsh.

---

**IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE**

**CHECKS RECEIVED**

- |    |            |                                  |  |                                   |
|----|------------|----------------------------------|--|-----------------------------------|
| 1. | \$572.70   | OB Services                      | Claim No. 0AB245151-01-01                      | 2016 Dodge – Sheriff’s Department |
| 2. | \$4,000.00 | Town of Danville                 | Hendricks County Partnership for Water Quality |                                   |
| 3. | \$4,000.00 | Town of Pittsboro                | Hendricks County Partnership for Water Quality |                                   |
| 4. | \$100.00   | Hendricks County Bar Association | Courthouse Rental Fee                          |                                   |
| 5. | \$25.00    | Kevin and Melissa Cavanaugh      | Surplus Sales Payment                          |                                   |

**STAFF REPORTS RECEIVED**

1. Receipt was acknowledged for the Engineering Department Report of May 14, 2019 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of May 14, 2019 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director’s Report of May 14, 2019 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of May 14, 2019 from Doug Morris.
5. Receipt was acknowledged for the Human Resources Report of April 22, 2019 through May 10, 2019 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of April 15, 2019 through April 19, 2019, April 22, 2019 through April 26, 2019, and April 29, 2019 through May 3, 2019 from Curt Higginbotham.
7. Receipt was acknowledged for the Coroner’s Report from Rick Mophew.
8. Receipt was acknowledged for the Animal Control & Shelter Report of April 2019 from LaDonna Hughes.
9. Receipt was acknowledged for the County Treasurer’s Monthly Report for the month ending April 30, 2019 from Shawn Shelley.
10. Receipt was acknowledged for the 2018 Jail Inmate Healthcare Report from Sheriff Brett Clark.
11. Receipt was acknowledged for the Parks & Recreation Department Report of May 10, 2019 from Ryan Lemley.

**CORRESPONDENCE RECEIVED**

1. Notice of Tort Claim from Steven E. Willsey representing Danny Hampton.
2. Notice of Tort Claim from Hensley Legal Group, PC. representing Robert M. Curson and Robert J. Curson.
3. Agencies Early Coordination for DES. No. 1801829 from RQAW.

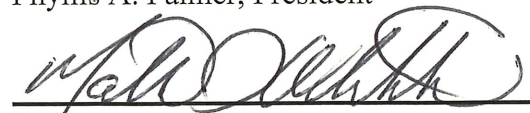
---

**IN THE MATTER OF ADJOURNMENT**

Commissioner Gentry moved to adjourn the Hendricks County Commissioners’ Meeting at 10:50 AM on Tuesday, May 14, 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