



HENDRICKS COUNTY BOARD OF COMMISSIONERS
MINUTES OF THE JUNE 11, 2019 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, June 11, 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
Matthew D. Whetstone	Commissioner, Vice 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
Brett Clark	Sheriff
Larry Scott	Councilman
Larry Hesson	Councilman
Erin Hughes	Human Resources Administrator
Kevin Cavanaugh	Facilities Manager
Doug Morris	I.T. Director
Sean Horan	Emergency Management Director
Dr. David Stopperich	Health Officer
Kandi Jamison	Director of Public Health Nursing
Krista Click	Environmental Health Director
Dave Gaston	Surveyor
Tim Dombrosky	Planning Director
Curt Higginbotham	Highway Department Superintendent
Kim Galloway	Assistant Engineer
Bart Harvey	Highway and Bridge Project Manager
Paul Grider	Highway and Traffic Safety Technician
Catherine Haines	Court Administrator
Karen Love	Superior Court No. 3 Judge
Jenny Stout	Superior Court No. 3 Office Manager
Theresa Lynch	Recorder
Ryan Lemley	Parks and Recreation Superintendent

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

Commissioner Palmer opened the meeting at 9:27 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison. Commissioner Whetstone gave a brief prayer for those who wished to participate.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the Minutes of the May 14, 2019 Commissioners' Meeting, the May 28, 2019 Commissioners' Executive Session 1, the May 28, 2019 Commissioners' Meeting, and the May 28, 2019 Commissioners' Executive Session 2 as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Palmer's questions regarding claims were answered. Commissioner Gentry moved to approve Payroll Check Numbers 110431 through 110434, Direct Deposit Check Numbers 179721 through 180239, and all Budgetary Claims presented from the Auditor's Office for the period beginning May 30, 2019 and ending June 12, 2019, dated June 12, 2019. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIARWOOD ESTATES DRAINAGE ISSUES

Commissioner Gentry moved to approve the \$35,000.00 claim payment to the Town of Coatesville to assist with the Briarwood Estates drainage issues as approved by the Drainage Board and by the Council. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ESTABLISHMENT OF THE COMPLETE COUNT COMMITTEE

It was the consensus of the Commissioners to continue the matter to the June 25, 2019 Commissioners' Meeting.

IN THE MATTER OF INFORMATION MATRIX TV SERIES, "GREAT PLACES TO LIVE, WORK AND RAISE A FAMILY"

It was the consensus of the Commissioner to continue the matter to the June 25, 2019 Commissioners' Meeting.

IN THE MATTER OF PATAGONIA HEALTH, INC. AGREEMENTS FOR THE PURCHASE OF ELECTRONIC HEALTH RECORDS

Kandi Jamison presented the amended Patagonia Health, Inc. Agreements for the purchase of electronic health records and requested approval. Greg Steuerwald confirmed the Agreements had been reviewed by Counsel.

Commissioner Whetstone moved to approve the Agreements as amended. Commissioner Gentry seconded the motion and the motion was approved unanimously.

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

Dr. Stopperich requested a Public Hearing be scheduled for the proposed Lodging Establishment Ordinance. The purpose of the proposed Ordinance is to safeguard public health, provide for the welfare and safety of citizens and visitors, and assure that lodging establishments are free from rodent and insect infestation.

Commissioner Gentry moved to schedule a Public Hearing during the July 23, 2019 Commissioners' Meeting. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PUBLIC HEARING FOR ORDINANCE FOR MAXIMUM SPEED LIMITS ON CERTAIN COUNTY ROADS

Commissioner Palmer opened the Public Hearing at 9:40 AM and John Ayers presented the proposed Ordinance for Maximum Speed Limits on Certain County Roads and recommended establishing a forty (40) mph speed limit based upon the findings of the recent Traffic Engineering Study for County Road 300 South from Putnam County Line Road to County Road 800 West. There were no public comments regarding the matter and Commissioner Palmer closed the Public Hearing at 9:42 AM.

Commissioner Gentry reported he met with the majority of the residents on this road, received numerous emails from a resident, and based upon their input he recommended establishing a thirty (30) mph speed limit. Commissioner Palmer advised the Engineer's recommendation after conducting a Traffic Engineering Study was to establish the speed limit at forty (40) mph.

Commissioner Palmer moved to establish the speed limit at forty (40) mph based upon the Engineer's recommendation. Commissioner Whetstone seconded the motion and Commissioner Palmer inquired if there were any additional comments. Commissioner Whetstone reported he had not spoken with any residents in the area. Commissioner Gentry advised the residents expressed concerns due to there being three (3) school bus

turnarounds within this one (1) mile stretch of road, posing an additional safety concern, and have requested the speed limit be thirty (30) mph. Commissioner Palmer stated enforcement is the key, John Ayers agreed and advised the Traffic Engineering Study and the past incident records do not warrant a speed limit lower than forty (40) mph. The motion failed 1-2-0; Commissioner Whetstone and Commissioner Gentry opposed the motion.

Commissioner Gentry moved to establish the speed limit at thirty (30) mph. Commissioner Whetstone seconded the motion and the motion was approved by majority 2-1-0; Commissioner Palmer opposed the motion. Nancy Marsh assigned Ordinance No. 2019-23 to the Ordinance for Maximum Speed Limits on Certain County Roads.

IN THE MATTER OF BID OPENING FOR BRIDGE NO. 222

Commissioner Palmer closed the bids for Bridge No. 222 at 9:52 AM and proceeded with the opening of the following bids.

BIDDER	BID AMOUNT
Beaty Construction, Inc.	\$579,730.00
Conexco, Inc.	\$556,179.89
Duncan Robertson, Inc.	\$768,194.00
HIS Constructors, Inc.	\$529,703.49
Morphey Construction	\$566,000.00
Rieth-Riley Construction Co., Inc.	\$574,815.09
White Construction	\$730,000.00

It was the consensus of the Commissioners to take the bids under advisement and for John Ayers to present a recommendation to the Commissioners on a later date.

IN THE MATTER OF BID OPENING FOR THE COUNTY ROAD 600 EAST AND COUNTY ROAD 150 NORTH DRAINAGE PROJECT

Commissioner Palmer closed the bids for the County Road 600 East and County Road 150 North Drainage Project at 9:52 AM and proceeded with the opening of the following bids.

BIDDER	BID AMOUNT
Conexco, Inc.	\$186,044.92
HIS Constructors, Inc.	\$329,171.25
Morphey Construction	\$433,000.00
White Construction	\$448,000.00

It was the consensus of the Commissioners to take the bids under advisement and for John Ayers to present a recommendation to the Commissioners on a later date.

IN THE MATTER OF YOUTH ASSISTANCE PROGRAM INTERLOCAL AGREEMENT

Judge Love presented the Interlocal Agreement with Hendricks County, the Town of Plainfield, and Plainfield School Corporation regarding funding and administration of the Youth Assistance Program and requested approval. Judge Love reported the Town of Plainfield and Plainfield School Corporation both have approved the Agreement and advised the Youth Assistance Program is designed to aid “at-risk” youths and families in their communities that are in need of assistance to prevent the youths from becoming part of the juvenile and criminal justice systems. If the Program is successful in Plainfield, there are plans to expand it to other school corporation in Hendricks County.

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

IN THE MATTER OF BAMBOOHR

Erin Hughes presented the BambooHR Service Agreement and proposal to purchase the cloud-based Human

Resources program and requested approval. Erin Hughes advised BambooHR has a one-time activation fee of \$7,960.38 and then would cost \$2,860.38 each month thereafter. Erin Hughes reported Council President Wathen recommended the program and advised Morgan County currently uses it.

Greg Steuerwald advised the Agreement has been reviewed by Counsel and the only issue is that legal litigation regarding the Program would have to be held in Utah and stated the County would terminate use of the Program if any issue arises as there is a thirty (30) day termination clause in the Agreement.

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

IN THE MATTER OF REVISED RESOLUTION FOR CAPITAL ASSET POLICY

Nancy Marsh presented a revised Resolution for the County's Capital Asset Policy to increase the reportable threshold from \$5,000.00 to \$10,000.00 for mandated preparation of GAAP Financials and requested approval. Nancy Marsh advised the County was selected as one of seventeen (17) counties mandated to transition to accrual accounting from cash-based accounting and stated the County will also be required to hire a Consultant to prepare the GAAP Financials, which will be expensive.

Commissioner Gentry moved to approve the Resolution as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Resolution No. 2019-24 to the Capital Asset Policy Resolution.

IN THE MATTER OF ELECTED OFFICIALS

Theresa Lynch advised the sound quality in the back of the Commissioners' Meeting Room was very poor. Commissioner Palmer stated the Facilities Department was researching options to improve the sound.

IN THE MATTER OF EXPRESSION OF INTEREST FOR DESIGN SERVICES FOR A NEW HIGHWAY DEPARTMENT FACILITY

John Ayers reported four (4) Expressions of Interest were received for design services for a new Highway Department Facility and advised the Review Committee (John Ayers, Curt Higginbotham, Kevin Cavanaugh, and Commissioner Palmer) would review them and present their recommendation to the Commissioners on a later date.

IN THE MATTER OF INDOT ROAD MILEAGE CERTIFICATION FOR 2018

John Ayers reported the INDOT road mileage certification for 2018 was received and advised the County has 767.48 miles of County roads, down 5.5 miles from 2017.

IN THE MATTER OF INDOT LETTER REGARDING INDEMNIFICATION

John Ayers reported a letter was received from INDOT regarding indemnification from the County regarding the pending Superior Construction claim on the Ronald Reagan Parkway.

Greg Steuerwald advised the matter needs to be discussed further.

IN THE MATTER OF RAPID REPRODUCTIONS, INC. 2019 SERVICE CONTRACT

John Ayers presented the Rapid Reproductions, Inc. 2019 Service Contract in the amount of \$1,200.00 for the maintenance of the Engineering Department scanner/plotter and recommended approval.

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

IN THE MATTER OF COMMENTS FROM THE FLOOR

Ali Garnett, a resident at 7377 N. County Road 550 E. in Pittsboro, requested assistance from the Commissioners with a dispute between her and her neighbor, Christopher Suter, regarding the use of a privately owned ingress/egress easement known as Meander Bend that is located on the south boundary of the Suter property. Ali

Commissioners' Meeting Minutes – June 11, 2019 Page 4

Garnett advised they utilize the easement to access the rear part of their property for maintenance and have been instructed by Christopher Suter that they are not allowed to be on the easement as it is privately owned and have had the police called on them a few times as well. Ali Garnett advised there is also a drainage issue with the adjoining property. Dave Gaston stated he is looking into the drainage issue and advised the Surveyor's Office would handle that issue.

The Commissioners and Greg Steuerwald advised this is a private dispute matter between neighbors and stated the County has no authority over the easement and Meander Bend as they are privately owned.

John Hill, representative from Fisher-Hill Farms, Inc. in Pittsboro, and Gary Baldauf, resident of 7225 S. 100 W. in Lebanon, requested assistance from the Commissioners with a dispute between them and Arbor Homes regarding the use and destruction of farmland and crops by Arbor Homes. John Hill advised there is an easement in place for Arbor Homes to utilize but stated Arbor Homes is trespassing outside of the easement. John Hill and Gary Baldauf inquired about having a stop work order issued to Arbor Homes by the Town of Pittsboro for the Arbor Homes project.

The Commissioners and Greg Steuerwald advised this is a private dispute matter between the parties and stated the County has no authority over the easement as it is privately owned and the Town of Pittsboro would have to be contacted in regards to issuing a stop work order to Arbor Homes as they are the entity who is overseeing the project.

Sheriff Brett Clark stated the Sheriff's Department enforces criminal law, not disputes over property lines or interpretation of contracts.

IN THE MATTER OF COMMISSIONERS

Commissioner Palmer advised June 11th is Commissioner Gentry's birthday and wished him a happy birthday.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

CHECKS RECEIVED

1. \$120.00 Rhett and Tamara Stuard Courthouse Rental Fee
2. \$4,500.00 Freije Auctions & Marketing, LLC. Proceeds from Auctioned Vehicle

STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the Engineering Department Report of June 11, 2019 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of June 11, 2019 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of June 11, 2019 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of June 11, 2019 from Doug Morris.
5. Receipt was acknowledged for the Highway Department Report of May 6, 2019 through May 10, 2019, May 13, 2019 through May 17, 2019, May 20, 2019 through May 24, 2019, and May 28, 2019 through May 31, 2019 from Curt Higginbotham.
6. Receipt was acknowledged for the Emergency Management Report of May 28, 2019 through June 7, 2019 from Sean Horan.
7. Receipt was acknowledged for the Animal Control & Shelter Report of May 2019 from LaDonna Hughes.
8. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period of March 1, 2019 through March 31, 2019 from Tim Dombrosky.
9. Receipt was acknowledged for the Parks & Recreation Department Report of May 23, 2019 from Ryan Lemley.

CORRESPONDENCE RECEIVED

1. Letter from Paul Johnson regarding excessive heavy truck traffic on County Road 800 West between Coatesville and Reno.

2. INDOT Tender of Request for Indemnification Letter.
3. Letter from the Town of Pittsboro regarding the Pittsboro water infrastructure debt to Citizens Water.
4. Letter from OneBeacon Insurance regarding subrogation of deductible for Claim No. 0AB251135.
5. Notice of Tort Claim from Ken Nunn Law Office, representing Anthony M. Lewis.
6. Notice of Tort Claim from Ken Nunn Law Office, representing Melanie S. Starkey and Craig Starkey.

IN THE MATTER OF ADJOURNMENT

Commissioner Whetstone moved to adjourn the Hendricks County Commissioners' Meeting at 11:02 AM on Tuesday, June 11, 2019. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.



Phyllis A. Palmer, President



Matthew D. Whetstone, Vice President



Bob Gentry, Member