



## **HENDRICKS COUNTY BOARD OF COMMISSIONERS**

### **MINUTES OF THE AUGUST 13, 2019 MEETING**

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, August 13, 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
Nicole Lawson	Assessor
Charlene Cuthbertson	Chief Deputy Assessor
Kevin Cavanaugh	Facilities Manager
Curt Higginbotham	Highway Department Superintendent
Doug Morris	I.T. Director
Dr. David Stopperich	Health Officer
Krista Click	Environmental Health Director
Kim Galloway	Assistant Engineer
Bart Harvey	Highway and Bridge Project Manager
Sean Horan	Emergency Management Director
James Mardis	Regional Sewer/NPDES Director
Tim Dombrosky	Planning Director
Tonya Cottrell	Permit and CRS Coordinator/Flood Manager
Theresa Lynch	Recorder
Dave Gaston	Surveyor
Tiffany Dalton	Chief Deputy Assessor
Catherine Haines	Court Administrator
Mark Chmielewski	Security Deputy
Loren Delp	Prosecutor
Ryan Lemley	Parks and Recreation Superintendent

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

Commissioner Palmer opened the meeting at 9:19 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison. Commissioner Gentry gave a brief prayer for those who wished to participate.

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

Commissioner Whetstone moved to approve the Minutes of the July 23, 2019 Commissioners' Meeting as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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

Commissioner Palmer's question regarding the Claims was answered by Nancy Marsh. Commissioner Whetstone

moved to approve Direct Deposit Check Numbers 181780 through 182300 and all Budgetary Claims presented from the Auditor's Office for the period beginning July 25, 2019 and ending August 14, 2019, dated August 14, 2019. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF PROPOSED RESOLUTION FOR THE DESIGNATION OF THE HOOSIER  
HILLS SCENIC BYWAY**

Mark Dollase, Vice President of Indiana Landmarks, presented the proposed Resolution for the Designation of the Hoosier Hills Scenic Byway and requested approval. The proposed portion of the Byway that is located in Hendricks County is the 5.4 mile stretch of State Road 39 that runs south from U.S. 40 to Monrovia, where it would connect with the remainder of the Byway.

Commissioner Whetstone inquired if Indiana Landmarks obtained the specific details regarding the definition of "off-premise advertising signs per Federal and INDOT regulations" as the erection of any new ones would be prohibited by the proposed Resolution as requested in the June 25, 2019 Commissioners' Meeting. Mark Dollase stated he did not as the Resolution contains the standard language that's been approved by the other Counties and advised he is not a specialist regarding signage. The Commissioners expressed their concerns for the restrictions this may place on new commercial developments planned in the area and advised the portion of the proposed Byway located in Hendricks County is in a mostly industrial area and is not "scenic".

Commissioner Gentry moved to deny the Resolution as presented. Commissioner Whetstone seconded the motion and the motion failed 1-1-1.

Commissioner Whetstone moved to approve the Resolution with the exclusion of the paragraph prohibiting the erection of any new, off-premise outdoor advertising signs. Commissioner Gentry seconded the motion and the motion was approved by majority 2-1-0; Commissioner Palmer opposed. Nancy Marsh assigned Resolution No. 2019-28 to the Resolution for the Designation of the Hoosier Hills Scenic Byway.

Mark Dollase advised he would inquire if INDOT would accept the modified Resolution or not.

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**IN THE MATTER OF BID OPENING FOR BRIDGE NO. 51**

Commissioner Palmer closed the bids for Bridge No. 51 at 9:33 AM and proceeded with the opening of the following bids.

<b>BIDDER</b>	<b>BID AMOUNT</b>
Conexco, Inc.	\$608,653.32
Morphey Construction	\$870,000.00
White Construction	\$812,000.00

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.

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**IN THE MATTER OF BID OPENING FOR CULVERT NO. LB-039**

Commissioner Palmer closed the bids for Culvert No. LB-039 at 9:35 AM and proceeded with the opening of the following bids.

<b>BIDDER</b>	<b>BID AMOUNT</b>
Conexco, Inc.	\$393,651.72
Morphey Construction	\$375,000.00
Rieth-Riley Construction Co., Inc.	\$352,898.12
White Construction	\$445,000.00

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 ROAD CLOSURE REQUEST FOR NORTH SALEM OLD FASHION DAYS**

Dick Whicker, representative from North Salem Old Fashion Days Committee, requested closure of Ladoga Road from 8:00 AM-10:00 AM on September 2, 2019 from State Road 75 to County Road 800 North for the North Salem Old Fashion Days 5K/10K due to the bridge on State Road 236 being closed. If the bridge opens before the event, the road closure will not be needed.

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

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## **IN THE MATTER OF PROPOSED CYPRESS MANOR IMPROVEMENTS**

Kevin Speer, Ron Mead, and James McBryant, representatives from Hendricks Regional Health and Cypress Manor, along with Tim Cover, representative from Studio 3 Design, presented the proposed Cypress Manor improvements estimated to cost between \$500,000.00-\$800,000.00 and requested approval. The improvements shall include updating all ceilings, flooring, paint, lighting, restrooms, and adding an additional restroom for female residents.

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

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## **IN THE MATTER OF PROPOSED INTERLOCAL AGREEMENT WITH THE TOWN OF LIZTON**

Dan Lake, representative from the Town of Lizton, presented a proposed Interlocal Agreement with the Town of Lizton for the relinquishment of the County's jurisdiction for planning, zoning, and development approvals for parcel ID No. 32-03-29-400-014.000-020 to the Town of Lizton until the parcel can be annexed by the Town in 2020. If the parcel is not annexed, authority shall return to the County.

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

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## **IN THE MATTER OF INDOT CLOSE OUT AND DEOBLIGATION OF 2018 CAPITAL DISCRETIONARY GRANT LETTER**

Pat Cockrum, representative from LINK/Sycamore Services, presented the INDOT Close Out and Deobligation of 2018 Capital Discretionary Grant Letter and requested approval.

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

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## **IN THE MATTER OF INDOT 2019 2<sup>ND</sup> QUARTER GRANT CLAIM VOUCHER FOR LINK/SYCAMORE SERVICES**

Pat Cockrum, representative from LINK/Sycamore Services, presented the INDOT 2019 2<sup>nd</sup> Quarter Grant Claim Voucher in the amount of \$223,773.00 and requested approval.

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

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## **IN THE MATTER OF INDOT GRANT CLAIM VOUCHER, MIDWEST TRANSIT EQUIPMENT INVOICE, AND VEHICLE LEASE AGREEMENT FOR LINK/SYCAMORE SERVICES VEHICLES**

Pat Cockrum, representative from LINK/Sycamore Services, presented the INDOT Grant Claim Voucher in the amount of \$77,600.00, Midwest Transit Equipment Invoice in the amount of \$97,600.00, and Vehicle Lease Agreement for two (2) new vehicles and requested approval.

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

**IN THE MATTER OF CASA CASE ASSESSMENT AND TRIAGE COORDINATOR  
PROFESSIONAL SERVICES CONTRACT**

Catherine Haines presented the CASA Case Assessment and Triage Coordinator Professional Services Contract in the amount of \$23,000.00 and requested approval.

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

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**IN THE MATTER OF CASA CHILD CONTACT SPECIALIST PROFESSIONAL SERVICES  
CONTRACT**

Catherine Haines presented the CASA Child Contact Specialist Professional Services Contract in the amount of \$10,000.00 and requested approval.

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

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**IN THE MATTER OF NYHART COMPANY, INC. SERVICE AGREEMENT FOR GASB 75  
ACTUARIAL SERVICES**

Nancy Marsh presented the Nyhart Company, Inc. Service Agreement for GASB 75 Actuarial Services in the amount of \$9,300.00 and requested approval.

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

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**IN THE MATTER OF PICTOMETRY INTERNATIONAL CORPORATION AGREEMENT**

Nicole Lawson presented the Pictometry International Corporation Agreement in the amount of \$772,049.50 and requested approval. Nicole Lawson advised Todd McCormack is working on an Interlocal Agreement with the Towns for the Towns to reimburse the County for a portion of the Agreement.

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

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**IN THE MATTER OF U.S. GEOLOGICAL SURVEY STREAMGAGE AGREEMENT FOR WHITE  
LICK CREEK IN BROWNSBURG**

Tim Dombrosky presented the U.S. Geological Survey Streamgage Agreement for White Lick Creek in Brownsburg in the amount of \$11,500.00 and requested approval.

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

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**IN THE MATTER OF CONFIDENTIALITY AGREEMENT WITH  
HENDRICKS COUNTY TOURISM**

Greg Steuerwald presented the Confidentiality Agreement between the Treasurer and the Hendricks County Tourism Commission and recommended approval.

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

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**IN THE MATTER OF RAINDROP, LLC. REVENUE BONDS**

Todd McCormack presented four (4) Revenue Bonds and requested approval to reissue the Bonds from Jackson County Bank to Raindrop, LLC. (Vaughn Wamsley) as Raindrop, LLC. has purchased the Bonds from Jackson County Bank and would like to move forward with the development of the area. Nancy Marsh advised there are some outstanding items she is waiting on from Raindrop, LLC. and stated if approved, she would not release the

Bonds to them until the items were resolved.

Commissioner Gentry moved to approve reissuing the Bonds from Jackson County Bank to Raindrop, LLC., contingent upon the outstanding items being resolved with the Auditor. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF SELECTION OF DESIGN SERVICES FIRM FOR NEW HIGHWAY  
DEPARTMENT FACILITY**

Kevin Cavanaugh, on behalf of the Selection Committee, recommended selecting DLZ as the design services firm for the new Highway Department Facility.

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

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**IN THE MATTER OF PROPOSED INTERLOCAL AGREEMENT WITH THE TOWN OF  
PITTSBORO**

Greg Steuerwald and Steve Maple, representative from the Town of Pittsboro, presented a proposed Interlocal Agreement with the Town of Pittsboro for the relinquishment of the County's jurisdiction for planning, zoning, and development approvals for parcel ID Nos. 32-03-36-300-003.000-018 and 32-03-36-300-008.000.018 to the Town of Pittsboro until the parcels can be annexed by the Town in 2020. If the parcels are not annexed, authority shall return to the County.

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 ELECTED OFFICIALS**

Dave Gaston and Tiffany Dalton requested an additional vehicle for the Surveyor's Office and advised they would be willing to pay for the cost to purchase the vehicle from their Cornerstone Fund, as well as pay for two (2) of their current leased vehicles from the Fund. The Cornerstone Fund is funded by fees for recorded documents.

Commissioner Palmer advised the Fleet was currently being evaluated and mentioned the recent reports from Enterprise, which indicated several vehicles that were not being utilized and may not be needed.

There was discussion amongst the Commissioners, Todd McCormack, Nancy Marsh, Dave Gaston, and Tiffany Dalton regarding what the Council approved funding wise from the Cornerstone Fund. Todd McCormack and Nancy Marsh stated the Council approved funds to cover the costs of two (2) leased vehicles, approximately \$12,000.00, and did not approve the funds to purchase or lease a third vehicle. Todd McCormack and Nancy Marsh advised the appropriation from the Council was to begin in 2020 to fund two (2) leases, one current and one new, and was contingent upon the Commissioners approving an additional leased vehicle. Dave Gaston advised he would be going back to the Council to request the additional funds from the Cornerstone Fund to purchase an additional vehicle. Tiffany Dalton stated they would like to pay for two (2) of the current leased vehicles and then purchase an additional vehicle, not lease it, from the Cornerstone Fund.

Commissioner Gentry moved to approve an additional leased vehicle with Geotab, not a purchase, with the Surveyor's Office paying for three (3) leased vehicles from their Cornerstone Fund. Commissioner Whetstone seconded the motion and the motion was approved by majority 2-1-0; Commissioner Palmer opposed. Commissioner Palmer stated Dave Gaston has the privilege of utilizing the Cornerstone Fund for an additional vehicle, where other Department Heads/Elected Officials do not.

Sheriff Brett Clark reported he was recently appointed to serve on the National Sheriffs' Association Board of Directors.

Nancy Marsh reported she has received some SPAM related to payroll information and encouraged Department Heads/Elected Officials to closely review their emails before responding.

## **IN THE MATTER OF JOINT RESOLUTION WITH HENRYVILLE SANITATION CORPORATION**

John Ayers presented a Joint Resolution with Henryville Sanitation Corporation for the sale of sewer screening equipment currently stored at the Highway Department in the amount of \$1,000.00 and recommended approval.

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. 2019-29 to the Joint Resolution.

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## **IN THE MATTER OF QUOTES FOR DRAINAGE PROJECTS**

John Ayers presented two quotes for the Drainage Project on Willsey Court, one from Keith Henderson for \$36,820.00 and one from K.A. Miner for \$23,188.00 and recommended awarding the work to K.A. Miner. John Ayers presented two quotes for the Drainage Project on Karen Drive, one from Keith Henderson for \$46,040.00 and one from K.A. Miner for \$34,212.00 and recommended awarding the work to K.A. Miner.

Commissioner Gentry moved to award both projects to K.A. Miner as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

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## **IN THE MATTER OF SIDEWALK AT THE SOUTH END OF THE RONALD REAGAN PARKWAY BRIDGE OVER CSX**

John Ayers presented a quote from Keith Henderson in the amount of \$10,800.00 for the repair of the sidewalk settlement at the south end of the Ronald Reagan Parkway over CSX and recommended awarding to Henderson.

Commissioner Gentry moved to award the work to Keith Henderson as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

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## **IN THE MATTER OF COURTHOUSE BACKUP GENERATOR**

Kevin Cavanaugh presented a proposal from Duke Energy One for a backup generator for the Courthouse that would provide 100% power to the entire building in the event of a power outage. Kevin Cavanaugh advised the fees for the installation, maintenance, and cost of the generator would be added to the monthly utility bill, with the projected monthly cost to be \$3,850.00 per month for the next ten (10) years; \$462,000.00 total. Doug Morris advised the generator would be highly beneficial to the I.T. Department as the Courthouse is the network hub, which runs on battery backups.

There was discussion of other options and the Commissioners requested Kevin Cavanaugh research the matter further and possibly investigate the costs with other providers.

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## **IN THE MATTER OF SOLAR ENERGY PROJECTS**

Kevin Cavanaugh reported he has been conversing with Johnson-Melloh regarding the possibility of using solar energy to offset the costs of electrical energy at various County buildings and advised he would like to bring in a consultant to provide further information to the Commissioners.

Commissioner Palmer stated she would be open to considering rooftop options but would prefer to steer clear of the ground options.

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

Jay Thompson, representative from Pittsboro Redevelopment Commission, thanked Jennifer Aubrey, Tina Butler, Laura Herzog, and Mike Alverson for their recent assistance to him on various matters.

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## **IN THE MATTER OF COMMISSIONERS**

Commissioner Palmer reported revenue, attendance, and vendor revenue from the 4-H Fair was down due to the heat and advised the volunteer who suffered a medical emergency was recovering. Commissioner Palmer advised Hendricks Power presented a \$10,000.00 check to the Fair Board for a rebate for installing energy efficient lighting.



Commissioner Whetstone requested a proposed Resolution from Nancy Marsh establishing a claims process. Nancy Marsh advised she had emailed it to Commissioner Whetstone's County email.

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**IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE**

**TITLES ENDORSED**

1. 2006	Ford	F150	VIN: 1FTPX14V46FB54237	To Be Auctioned
2. 2014	Dodge	Charger	VIN: 2C3CDXAT5EH208255	To Be Auctioned
3. 2015	Dodge	Charger	VIN: 2C3CDXKT5FH819256	To Be Auctioned

**CHECKS RECEIVED**

1. \$3000.00	OB Services	Claim No. 0AB259445-0101	Sheriff's Department
2. \$1,500.00	York's Towing	Claim No. 0AB259445-0101	Reimbursement for Payment
3. \$210.00	Fiat Chrysler Automobiles		Reimbursement for Repairs

**STAFF REPORTS RECEIVED**

1. Receipt was acknowledged for the Engineering Department Report of August 13, 2019 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of August 13, 2019 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of August 13, 2019 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of August 13, 2019 from Doug Morris.
5. Receipt was acknowledged for the Human Resources Report of July 22, 2019 through August 9, 2019 from Erin Hughes.
6. Receipt was acknowledged for the Animal Control & Shelter Report of July 2019 from LaDonna Hughes.
7. Receipt was acknowledged for the Emergency Management Report of July 9, 2019 through July 23, 2019 from Sean Horan.
8. Receipt was acknowledged for the Highway Department Report of July 1, 2019 through July 5, 2019, July 8, 2019 through July 12, 2019, July 15, 2019 through July 19, 2019, and July 22, 2019 through July 26, 2019 from Curt Higginbotham.
9. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period of June 1, 2019 through June 30, 2019 from Tim Dombrosky.
10. Receipt was acknowledged for the Parks & Recreation Department Report of August 9, 2019 from Ryan Lemley.


**CORRESPONDENCE RECEIVED**

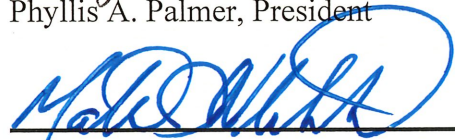
1. Notice of Public Hearing by the Hendricks County Plan Commission from Clark, Quinn, Moses, Scott & Grahn, LLP. for Rezoning Petition No. ZA264/19.
2. Notice of Tort Claim from Harrington Law, PC. representing Levi T. Harrison

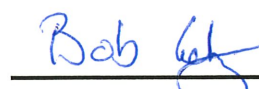
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**IN THE MATTER OF ADJOURNMENT**

Commissioner Whetstone moved to adjourn the Hendricks County Commissioners' Meeting at 11:03 AM on Tuesday, August 13, 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