



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE FEBRUARY 25, 2020 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, February 25, 2020 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
Brett Clark	Sheriff
David Cox	Councilman
Larry Scott	Councilman
John Ayers	Engineer
Kim Galloway	Assistant Engineer
Erin Hughes	Human Resources Administrator
Kevin Cavanaugh	Facilities Manager
Curt Higginbotham	Highway Department Superintendent
Doug Morris	I.T. Director
Tim Dombrosky	Planning Director
Bart Harvey	Highway and Bridge Project Manager
Loren Delp	Prosecutor
Theresa Lynch	Recorder
Tiffany Dalton	Chief Deputy Surveyor
Eric Ivie	Parks and Recreation Assistant Superintendent

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

Commissioner Palmer opened the Meeting at 9:01 AM with a quorum of two (2) Commissioners present and led the Pledge to the Flag in unison. Greg Steuerwald gave a brief prayer for those who wished to participate. Commissioner Whetstone joined the Meeting at 9:04 AM.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the Minutes of the February 11, 2020 Commissioners' Meeting as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Payroll Check Numbers 110471 through 110472, Direct Deposit Check Numbers 189481 through 189985, and all Budgetary Claims presented from the Auditor's Office for the period beginning February 13, 2020 and ending February 26, 2020. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF 2020 COMMISSIONERS' APPOINTMENTS

Commissioner Palmer recommended Tim Whicker to serve on the Hendricks County Redevelopment

Commission. Commissioner Gentry moved to appoint Tim Whicker to the Hendricks County Redevelopment Commission through December 31, 2021 as the nonvoting adviser. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

Mila Shaffer reported Nicole Lawson advised she would have a recommendation for the PTABOA appointment by the first of April 2020.

Commissioner Whetstone joined the Meeting at 9:04 AM.

Commissioner Whetstone recommended Anthony Mitson to serve on the Hendricks County Economic Development Commission. Commissioner Gentry moved to appoint Anthony Mitson to the Hendricks County Economic Development Commission through January 31, 2023. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PUBLIC HEARING FOR THE ESTABLISHMENT OF CERTAIN FUNDS

Commissioner Palmer opened the Public Hearing at 9:06 AM regarding the Establishment of Certain Funds.

Nancy Marsh presented Ordinance No. 2020-05; Ordinance/Resolution Establishing Cumulative Capital Development Fund not to exceed \$0.0333 on each \$100.00 of assessed valuation, Ordinance No. 2020-06; Ordinance/Resolution Establishing Cumulative Bridge Fund not to exceed \$0.045 on each \$100.00 of assessed valuation, and Ordinance No. 2020-07; Ordinance/Resolution Establishing Major Bridge Fund not to exceed \$0.0333 on each \$100.00 of assessed valuation and recommended approval to be levied beginning with taxes for 2020 payable in 2021.

There were no remonstrators present and Commissioner Palmer closed the Public Hearing at 9:07 AM.

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

IN THE MATTER OF OPENING OF SALVAGE BIDS FOR STRUCTURES

Commissioner Whetstone moved to close the salvage bids for structures at 9:08 AM. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

John Ayers reported there was one (1) bidder, Jack Maloney, who bid on four (4) structures, and proceeded to open and read the following:

ADDRESS OF STRUCTURE	STRUCTURE DESCRIPTION	BID AMOUNT
7890 N. County Road 900 E.	26' x 30' Garage Pole Building	\$200.00
8320 N. County Road 900 E.	68' x 44' Wooden Barn	\$1,000.00
8320 N. County Road 900 E.	45' x 30' Wooden Barn	\$200.00
8950 E. County Road 750 N.	30' x 50' Metal Pole Building	\$200.00

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

IN THE MATTER OF PUBLIC HEARING FOR ORDINANCE AMENDING THE DRAINAGE BOARD UNIFORM FEE SCHEDULE

Commissioner Palmer opened the Public Hearing at 9:11 AM regarding the Ordinance Amending the Drainage Board Uniform Fee Schedule.

Tiffany Dalton presented An Ordinance Amending the Hendricks County Drainage Board Uniform Fee Schedule to designate the fund specific fees/fines/penalties shall be deposited, to increase the Regulated Drain Outlet Permit Fee from \$100.00 to \$150.00, and to establish fees for Hendricks County Departments and non-

Hendricks County Departments for the use of the televising equipment, van, and personnel and recommended approval.

There were no remonstrators present and Commissioner Palmer closed the Public Hearing at 9:13 AM.

Commissioner Whetstone moved to approve the Ordinance as presented. Commissioner Gentry seconded the motion and the motion was approved by majority 2-1-0. Commissioner Palmer opposed as she is against charging County Departments for the use of the televising equipment, van, and personnel. Nancy Marsh assigned Ordinance No. 2020-08; An Ordinance Amending the Hendricks County Drainage Board Uniform Fee Schedule.

IN THE MATTER OF INDOT MOTOR VEHICLE PURCHASE AGREEMENT FOR SYCAMORE SERVICES, INC.

Pat Cockrum, representative from Sycamore Services, Inc., presented the INDOT 5339 Motor Vehicle Purchase Agreement in the amount of \$72,812.00 to purchase two (2) new vans and requested approval. Pat Cockrum advised the twenty (20) percent grant match would be paid by Sycamore Services and not 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.

IN THE MATTER OF SELECTION OF CONSTRUCTION MANAGER AS CONSTRUCTOR FOR NEW JAIL AND SHERIFF'S OFFICE

Kevin Cavanaugh reported interviews were conducted on February 18, 2020 with Garmong Construction Services, Hagerman Construction Corporation, and Skillman Corporation for the Construction Manager as Constructor (CMc) for the new Jail and Sheriff's Office.

The Commissioners thanked the firms for their time and thanked Kevin Cavanaugh for his work. Commissioner Whetstone moved to select Garmong Construction Services as the CMc for the project as recommended by the Evaluation Committee. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Kevin Cavanaugh advised they will begin developing the CMc contract to submit on a later date.

IN THE MATTER OF RQAW CORPORATION AGREEMENT FOR PROFESSIONAL ENVIRONMENTAL SERVICES

Kevin Cavanaugh presented the RQAW Corporation Agreement for Professional Environmental Services for the wetland delineation study and report for the new Jail and Sheriff's Office in the amount of \$20,000.00 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.

IN THE MATTER OF RQAW CORPORATION AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

Kevin Cavanaugh presented the RQAW Corporation Agreement for Professional Engineering Services for design of the East Campus Boulevard extension in the amount of \$64,500.00 plus reimbursables 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.

IN THE MATTER OF NOTICE TO BIDDERS FOR 2020 PAVEMENT MARKING PROGRAM

John Ayers presented the Notice to Bidders for 2020 Pavement Marking Program and requested permission to proceed with advertising. Bids are due by 9:00 AM on March 24, 2020.

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

**IN THE MATTER OF NOTICE TO BIDDERS FOR VARIOUS BRIDGE AND CULVERT
REPLACEMENT PROJECTS**

John Ayers presented the Notice to Bidders for the following bridge and culvert replacement projects: Bridge No. 186, Bridge No. 200, Bridge No. 201, Bridge No. 252, Culvert No. EE-010, Culvert No. FR-050, Culvert No. MI-035, Culvert No. LB-043, and Culvert No. LB-056/LB-060 and requested permission to proceed with advertising. John Ayers advised bids are due by 9:00 AM on March 24, 2020 and stated bids may be submitted for any or all projects.

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

**IN THE MATTER OF REQUEST TO PURCHASE REPLACEMENT VEHICLES FOR HIGHWAY
DEPARTMENT**

John Ayers requested permission to proceed with purchasing three (3) replacement vehicles for the Highway Department in the amount of \$222,327.00; one (1) pickup truck for \$43,127.00 and two (2) single axle dump trucks totaling \$179,200.00. The vehicles will be purchased through an approved QPA vendor.

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

IN THE MATTER OF ELECTED OFFICIALS

No matters presented.

IN THE MATTER OF RELINQUISHMENT OF STATE ROAD 267

John Ayers reported he is close to reaching an agreement with INDOT and the Town of Plainfield (TOP) regarding the relinquishment of State Road 267 within the TOP. The TOP will take over the road, seven (7) culverts, and a land bridge north of US 40 and the County will take over four (4) bridges. John Ayers advised the County would receive \$6,030,000.00 in Federal Aid Project credits as compensation, meaning they can only be spent on qualifying road and/or bridge projects through the INDOT/Federal Aid process. John Ayers recommended applying these credits to the improvement of County Road 1000 North from State Road 267 to the Ronald Reagan Parkway, which has a current approximate construction cost estimate of \$12,000,000.00 and would likely be scheduled for State Fiscal year 2023 or 2024, pending remaining funds from the County.

The Commissioners recommended the funding matter be discussed during the Joint Workshop on March 10, 2020 and requested efforts be coordinated with Marion County on connecting east/west roads.

IN THE MATTER OF INDOT'S PROPOSED INTERSECTION CHANGES ON US 40

John Ayers reported he has written to INDOT and expressed concerns regarding their proposed intersection changes at US 40 and County Road 200 West and County Road 0 as the J-turns INDOT is proposing do not work well for agricultural equipment or for school buses.

IN THE MATTER OF PROPOSED ORDINANCE FOR MAINTENANCE ALONG RIGHT-OF-WAYS

John Ayers presented sample language for a proposed ordinance to assist in the maintenance of trees and vegetation on private property that create liability and maintenance issues in the County right-of-way. John Ayers advised the Towns already have such ordinances in place and recommended the County consider adopting one. The proposed ordinance would require the owners of all trees, shrubs, vines, and all plant life growing in, on, or along any street, alley, sidewalk, or highway of the County to keep them trimmed and pruned in such a manner that anything extending over, on, along, across, or into any County sidewalk, streets, alleys, and highways be trimmed and pruned to a minimum distance away.

It was the consensus of the Commissioners for John Ayers to draft an ordinance for consideration.

IN THE MATTER OF TREE AND BRUSH REMOVAL FOR PROJECTS

John Ayers presented a Proposal from an Artistic Touch Tree Service in the amount of \$27,800.00 for the removal of trees and brush for seven (7) bridge and culvert projects and recommended approval.

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

IN THE MATTER OF RONALD REAGAN PARKWAY EXTENSION

John Ayers reported he will be meeting with representatives from the Town of Brownsburg at 2:00 PM on February 26, 2020 to discuss the Ronald Reagan Parkway extension.

John Ayers reported the INFRA Grant application has been submitted and they are working on the BUILD Grant application.

Commissioner Whetstone stated it is important to find out where the Town of Brownsburg and Boone County are at with their growth towards the Ronald Reagan Parkway extension prior to the March 10, 2020 Joint Workshop.

IN THE MATTER OF MASTER THOROUGHFARE PLAN

John Ayers reported he is drafting a letter to the Commissioners and to the Plan Commission regarding a formal request to change the Master Thoroughfare Plan to remove a proposed road shown in the Plan.

Commissioner Gentry advised Greg Steuerwald is researching the legality of removing items from the Plan and stated the proposed road goes directly through a home.

Commissioner Palmer stated making an exception for this request will set a precedence and will bring other similar requests from residents in the Plainfield area and expressed concerns of maintaining consistency.

John Ayers advised the Master Thoroughfare Plan is a not a project or a road design, but is a conceptual plan, composed of possible ideas for future growth.

IN THE MATTER OF RQAW CORPORATION ERRORS AND OMISSIONS INSURANCE

Kevin Cavanaugh and John Parmley, representative from HBG Insurance & Bonds, advised a decision needs to be made regarding the option to add increased errors and omissions insurance to the RQAW Corporation Contract for the design of the new Jail and Sheriff's Office. John Parmley stated this optional insurance would be specific to the County's project; \$1,000,000.00 is \$10,352.00 per year and \$3,000,000.00 is \$20,602.00 per year. RQAW Corporation currently carries an aggregate of \$2,000,000.00, which is shared amongst all of RQAW's projects.

Commissioner Whetstone stated the optional insurance cost needs to be negotiated with RQAW Corporation.

IN THE MATTER OF ENTERPRISE FLEET VEHICLES

Todd McCormack reported seven (7) of the fourteen (14) Enterprise Fleet vehicles for 2020 have been delivered to replace current vehicles. Chevrolet trucks were ordered this year as they had the lowest total cost of ownership.

IN THE MATTER OF FLEET CAR WASH PROPOSAL

Todd McCormack presented a Fleet car wash proposal from Crew Car Wash as a possible cost-effective alternative to the employees washing the vehicles themselves. Todd McCormack advised the current issue is that there will be a negative financial impact to the County once the vehicles are sold, due to the condition of the exterior and interior of the vehicles being turned in. Employees do have access to a pressure washer and other items at the Sheriff's Department to clean the County vehicles, but they are not being washed very often, if ever. The more washes the County purchases, the lower the price per wash; five hundred plus (500+) purchased is \$6.30 per Basic wash or \$13.00 per Ultimate wash. Todd McCormack stated he did reach out to Prime Car Wash

but has not received a response from them. Chuck Parsons expressed some interest in the Sheriff's Department participating if the Commissioners should decide to approve it.

Sheriff Brett Clark stated the road deputies are responsible for cleaning their own vehicle and have to pay for any car wash services out of their own pocket, which is not reimbursed by the County.

Commissioner Palmer stated if an employee is provided access to a vehicle to perform their duties, they have a responsibility to clean and maintain the vehicle without added costs to the County.

John Ayers stated employees with take home vehicles should carry the burden of costs for cleaning their vehicle, but employees who do not have a take home vehicle should not.

The Commissioners advised they would make a decision once the Proposal from Prime Car Wash is received.

IN THE MATTER OF ENTERPRISE FLEET ANNUAL REPORTS

Todd McCormack requested permission to send the Enterprise Fleet annual reports which outline speeding, excessive idling, and utilization by vehicle to Department Heads/Elected Officials who have Enterprise vehicles assigned to their department/office.

Commissioner Whetstone stated it is critical to send these out and stated it is also critical to sound the alarm regarding the issues, especially idling and underutilization, and advised underutilized vehicles should be taken away when the next cycle of vehicles comes up and is part of why Enterprise was implemented to provide factual data. Commissioner Gentry and Commissioner Palmer agreed.

Commissioner Palmer discussed the excessive idling and speeding issues and requested Todd McCormack address the reduction of idling and speeding with the appropriate Department Heads/Elected Officials.

It was the consensus of the Commissioners for Todd McCormack to send out the reports and to address the issues with the appropriate Department Heads/Elected Officials.

IN THE MATTER OF LEADERSHIP HENDRICKS COUNTY AT THE FAIRGROUNDS COMPLEX

Todd McCormack requested guidance on how to proceed with the issue of Leadership Hendricks County (LHC) occupying office space at the Fairgrounds Complex.

Commissioner Whetstone stated that if LHC plans to stay at the Fairgrounds the County needs a lease, proof of insurance, clear delineation of space, and LHC's use of any County property needs to be reimbursed as LHC is not a County entity.

It was the consensus of the Commissioners for Todd McCormack and Greg Steuerwald to communicate with the parties involved (County, Fairgrounds, LHC, and Purdue) to create a Lease Agreement for LHC, should LHC choose to remain at the Fairgrounds.

IN THE MATTER OF VISIT HENDRICKS COUNTY STEERING COMMITTEE

Todd McCormack reported Jamie Bohler Smith, Executive Director of Visit Hendricks County (VHC), is requesting one representative from the County be appointed to serve on a Steering Committee to work on a county wide branding/marketing effort to help with talent attraction, economic development, tourism, and overall community unity. Todd McCormack stated VHC is requesting a representative from the County, each Town government, VHC, Hendricks County Economic Development Partnership, Hendricks College Network, and a corporate representative.

It was the consensus of the Commissioners to appoint Todd McCormack to serve on the Committee and possibly Tim Dombrosky as an alternate, if he is interested.

IN THE MATTER OF COMMENTS FROM THE FLOOR

Jay Thompson, Communications Advisory Board Small Towns Representative, presented some historical facts about technology in an effort to put into perspective how technology has changed street planning for years and will most likely change the conceptual ideas in the Master Thoroughfare Plan as well.

Rachele Baker, resident of 9675 S. County Road 100 E. in Clayton, expressed her concerns and questioned the public notice procedures to surrounding residents for rezoning and land use changes; specifically to the area rezoned for the warehouses off of State Road 39 near I-70. Rachele Baker stated only ten (10) people received notice and believes almost one hundred (100) people should have received notice and inquired if not receiving proper notice could force the zoning to be put back to what it originally was, possibly back prior to 2006. Rachele Baker feels the warehouses reduce property values, generate low paying jobs that are not beneficial for Hendricks County residents due to the cost of housing in the County, are causing infrastructure to suffer, have caused there to not be adequate emergency response coverage for the area, and feels the warehouses do not generate enough tax revenue to cover the added costs they impose on the County for their operation and road maintenance.

Commissioner Palmer stated the warehouses have changed the face of the County from what the vision was twenty (20) years ago, but that with growth comes change, and the developments were approved by the Plan Commission and inquired if there was a state law for providing notice or for the size of the signs for notice.

Greg Steuerwald advised he does not believe there is a state law for providing notice and stated the Plan Commission sends notice letters to property owners two (2) properties deep or six hundred (600) feet , whichever is less, from the parcel requesting rezoning along with posting signs at the designated location but will double check the County's Ordinance and verify there isn't a state law.

Rachele Baker stated she has not been able to find a state law pertaining to providing notice and inquired what happens to these warehouses if the economy tanks or something else goes wrong and they are all vacant and not generating revenue.

Commissioner Palmer expressed her appreciation for Rachele Baker's concerns, advised she shares some of the same concerns, and stated she and the individuals appointed to the Plan Commission take these concerns into consideration when they make their decisions.

Commissioner Gentry suggested trying to come up with a future mechanism that would give consideration to property owners for the reduction in their property values caused by zoning changes that allow structures to go in that negatively affect the values of the surrounding properties and to require some type of visual and/or sound barriers, but has no idea if such a mechanism is possible.

Rachele Baker stated there was a request for a visual/sound barrier to the Plan Commission last year and no one made a motion to consider it because there was a threat of a lawsuit from the developer and feels the County Ordinances are there to protect the adjacent property owners and need to be followed correctly and wants the rezoning to be revisited as she does not feel proper notice was given.

Commissioner Whetstone advised this started when one of Rachele Baker's decided to sell their property to the developers. The County does not want to impose so many restrictions that an owner cannot do what they want to do with their property and the County does take into consideration the type of development going in and does its due diligence to make sure they are approving fiscally sound developers. Commissioner Whetstone stated there are many safeguards put into place to address the concerns presented, TIF's are created with funding designated to infrastructure and public safety matters, and requested Rachele Baker contact him to further discuss all of the mechanisms put in place to protect the taxpayers and residents of Hendricks County.

IN THE MATTER OF COMMISSIONERS

Commissioner Palmer reminded everyone of the Joint Workshop on March 10, 2020, reported the Emergency

Management Advisory Council will be conducting interviews for the Emergency Management Director opening on March 9, 2020, and advised the Benefits Committee Meeting was following the Commissioners' Meeting.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

TITLES ENDORSED

- | | | | | |
|---------|---------------|------------------|------------------------|-----------------|
| 1. 2008 | International | 7000 Series 7500 | VIN: 1HTWPAZT68J635483 | To Be Auctioned |
| 2. 2009 | International | 7000 Series 7500 | VIN: 1HTWPAZT09J090463 | To Be Auctioned |

STAFF REPORTS RECEIVED

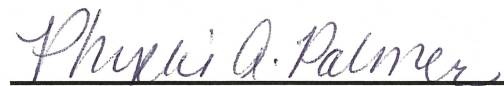
1. Receipt was acknowledged for the Engineering Department Report of February 25, 2020 from John Ayers.
2. Receipt was acknowledged for the Facilities Dept. Report of February 25, 2020 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of February 25, 2020 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of February 25, 2020 from Doug Morris.
5. Receipt was acknowledged for the Human Resources Report of February 10, 2020 through February 21, 2020 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of January 6, 2020 through January 10, 2020, January 11, 2020 through January 17, 2020, January 18, 2020 through January 24, 2020, January 26, 2020 through January 31, 2020, and February 3, 2020 through February 7, 2020 from Curt Higginbotham.
7. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period of January 1, 2020 through January 31, 2020 from Tim Dombrosky.
8. Receipt was acknowledged for the Parks & Recreation Department Report of February 21, 2020 from Ryan Lemley.

CORRESPONDENCE RECEIVED

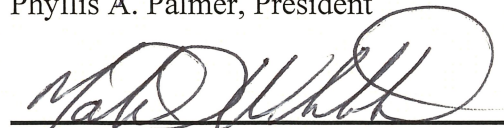
1. Minutes and Meeting Agenda from Cummins Behavioral Health Systems, Inc. Board of Directors.
2. Certificate of Insurance from the Danville Conservation Club, Inc.
3. Herbicide Treatment Notice from Duke Energy.
4. Low Cost Spay Neuter Clinic Hendricks County Statistic Report for January 1 to January 31, 2020.
5. Notice of Tort Claim from Ken Nunn Law Office, representing Carla D. Lee.
6. Notice of Tort Claim from Ken Nunn Law Office, representing Christina M. Shores and Richard F. Shores.

IN THE MATTER OF ADJOURNMENT

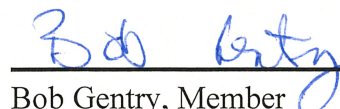
Commissioner Whetstone moved to adjourn the Hendricks County Commissioners' Meeting at 10:39 AM on Tuesday, February 25, 2020. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.



Phyllis A. Palmer, President



Matthew D. Whetstone, Vice President



Bob Gentry, Member