



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE SEPTEMBER 22, 2020 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, September 22, 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
David Cox	Councilman
Larry Scott	Councilman
Brett Clark	Sheriff (Appeared Telephonically)
John Ayers	Engineer
Erin Hughes	Human Resources Administrator
Megan Smith	Human Resources Assistant (Appeared Telephonically)
John Gramling	Application Support/Telecom Admin.
Kevin Cavanaugh	Facilities Manager
Dawn Mason	Emergency Management Director
Theresa Lynch	Recorder (Appeared Telephonically)
Joe Percy	Highway Department Assistant Superintendent (Appeared Telephonically)
Tim Dombrosky	Planning Director (Appeared Telephonically)
Ryan Lemley	Parks and Recreation Superintendent

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

Commissioner Palmer opened the Meeting at 9:01 AM with a quorum of all three (3) Commissioners present, led the Pledge to the Flag in unison, and gave a brief prayer for those who wished to participate.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the Minutes of the September 8, 2020 Commissioners' Meeting as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Direct Deposit Check Numbers 197076 through 197588 and all Budgetary Claims presented from the Auditor's Office for the period beginning September 10, 2020 and ending September 23, 2020 pending final review. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HOOSIER HILLS SCENIC BYWAY

Commissioner Whetstone moved to approve Resolution No. 2020-30 designating the seven tenths (.7) of a mile segment of State Road 39, south of US 40, as the Hoosier Hills Scenic Byway. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Palmer stated she does not view the route as being scenic.

IN THE MATTER OF LEADERSHIP HENDRICKS COUNTY LEASE AGREEMENT

Greg Steuerwald presented an amended draft of the Leadership Hendricks County (LHC) Lease Agreement for review and inquired if the Commissioners would like to approve LHC's request for the Lease to automatically renew for another three (3) year term at the then current market rate per square foot.

There was discussion amongst the Commissioners and Greg Steuerwald regarding the matter and it was the consensus of the Commissioners for the Lease to not automatically renew and instead be renewed if it is mutually agreeable.

Commissioner Palmer advised the Fair Board's Operations Committee has questions on some items listed in the Lease and recommended the matter be tabled until the County discusses them with the Committee. Commissioner Palmer reported Doug Morris is working on the access card protection on the Extension Office copier and stated LHC's postage use needs to be clarified, and if LHC is not currently providing their own postage, they need to do so.

Commissioner Gentry moved to table the matter until after the County has some conversation on questions for the Operations Committee. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COVID-19 (CORONAVIRUS) UPDATE

Dr. David Stopperich provided a brief update on the COVID-19 (Coronavirus) pandemic in Hendricks County.

IN THE MATTER OF REVIEW OF HENDRICKS COUNTY GOVERNMENT COVID-19 POLICY

There was discussion amongst the Commissioners and Dr. David Stopperich regarding the Hendricks County Government COVID-19 Policy.

Commissioner Whetstone moved to leave the Policy as is and to review it again at the October 13, 2020 Commissioners' Meeting. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF UPCOMING CHANGES TO LINK FUNDING

Pat Cockrum, representative from LINK, and Marina Keers, representative from Senior Services, reported the proposed changes from INDOT and the Indianapolis Metropolitan Planning Organization (MPO) that will impact the way LINK receives Federal funding from 5311 and 5307 grants have been put on hold while they work through the options. Pat Cockrum and Marina Keers advised INDOT and the MPO would like to know if the Commissioners would still consider being an option for the transportation services in the future, even if there are changes in how the grants are funded; would the County still be open to being the passthrough entity for the grants.

There was discussion amongst the Commissioners, Pat Cockrum, and Marina Keers regarding the matter.

It was the consensus of the Commissioners to be open to future discussions with INDOT and MPO.

IN THE MATTER OF PUBLIC HEARING FOR PROPOSED ORDINANCE FOR MAXIMUM SPEED LIMITS

Commissioner Palmer opened the Public Hearing regarding the Ordinance for Maximum Speed Limits on Certain County Roads at 9:32 AM. John Ayers presented the proposed Ordinance to impose a twenty (20) mph speed limit on Eagle Drive from East 600 North to Eagle Village Drive and on Eagle Village Drive from East 600 North to Pine Valley Path and recommended approval.

There were no remonstrators present, or on the telephone, and Commissioner Palmer closed the Public Hearing at 9:34 AM.

Commissioner Whetstone moved to approve the Ordinance as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Ordinance No. 2020-31, Ordinance for Maximum Speed Limits on Certain County Roads.

**IN THE MATTER OF PUBLIC HEARING FOR PROPOSED ORDINANCE FOR
NO TRUCK TRAFFIC**

Commissioner Palmer opened the Public Hearing regarding the Ordinance for No Truck Traffic on Certain County Roads at 9:34 AM. John Ayers presented the proposed Ordinance to post no truck traffic signage on County Road 950 East from County Road 1000 North to the Boone County Line and recommended approval. John Ayers presented a couple different signage options for review and requested Sheriff Brett Clark's opinion as to which signage would be easier to enforce.

There were no remonstrators present, or on the telephone, and Commissioner Palmer closed the Public Hearing at 9:37 AM.

Commissioner Whetstone moved to approve the Ordinance as presented and for Sheriff Brett Clark and John Ayers to determine the best signage. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Ordinance No. 2020-32, Ordinance for No Truck Traffic on Certain County Roads.

IN THE MATTER OF COUNTY JAIL FINANCING UPDATE

Greg Guerrettaz, representative from Financial Solutions Group, presented the most recent LIT revenue projections and advised the 2021 tax revenue is estimated to increase by almost seven (7) percent from the 2020 revenue and the 2022 tax revenue is estimated to reduce by twenty (20) percent from the 2020 revenue and recommended the new Jail project proceed as planned.

IN THE MATTER OF REQUEST FOR AN OFF-ROAD VEHICLE ORDINANCE

Eric Wathen, resident of 1194 W. County Road 950 N. in Lizton, presented county ordinances allowing certain off-road vehicles on county roadways and requested the Commissioners consider adopting a similar ordinance. Eric Wathen reported sixty-five (65) of Indiana's ninety-two (92) counties allow off-road vehicles on their county roadways and recommended exempting Brown, Guilford, Lincoln, and Washington townships from the ordinance due to their populations.

There was discussion amongst the Commissioners, Sheriff Brett Clark, Todd McCormack, John Ayers, and Eric Wathen regarding the matter. Commissioner Palmer stated she feels allowing off-road vehicles on county roadways would be a public safety issue and an enforcement issue. Eric Wathen stated off-road vehicles are currently being used all over the county and adopting an ordinance with guidelines and restrictions would allow for there to be some enforcement. Sheriff Brett Clark advised there would need to be clear guidelines and restrictions to assist with enforcement and stated Indiana has an agriculture use exemption in place.

It was the consensus of the Commissioners for Sheriff Brett Clark, Todd McCormack, and Greg Steuerwald to draft an ordinance for the Commissioners to consider before proceeding further. Commissioner Palmer stated the ordinance would need to be pretty restrictive for her to consider it.

IN THE MATTER OF PETITION TO VACATE PLATTED RIGHT-OF-WAY

Andy Kult, representative from Comer Law Office, presented a Petition to Vacate Platted Right-of-Way for the Petitioners, Mark and Janet Wroten. Andy Kult reported the Petitioners are requesting the Commissioners schedule a Public Hearing to consider vacating certain platted alleys or portions thereof surrounding lots eight (8), nine (9), and ten (10) in John A. Long's Second Addition to the Town of Maplewood. Andy Kult advised there are two (2) adjoining property owners that will be notified of the Hearing via certified mail.

Commissioner Gentry moved to schedule a Hearing for the matter during the Commissioners' Meeting on October 13, 2020. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REVISED DELTA DENTAL SERVICE CONTRACT

Erin Hughes presented a revised Delta Dental Service Contract to correct the covered materials used for posterior crowns to porcelain and resin facings as was covered in the County's prior dental plan.

Commissioner Palmer inquired if there would be an increase in the fee to the County or to the employee to correct the coverage. Erin Hughes advised she did not know but would check to see if there is a pricing change.

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

IN THE MATTER OF DIRECT ENERGY NATURAL GAS PROPOSALS

Kevin Cavanaugh presented the Direct Energy Natural Gas Proposals to lock in the pricing at \$3.052/Dth and requested approval.

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

IN THE MATTER OF INSURANCE SETTLEMENT FOR BRIDGE NO. 49

John Ayers presented an insurance settlement offer in the amount of \$32,816.00 from AAA Insurance for the damages caused to Bridge No. 49 by one of their insureds and recommended approval. The settlement represents a pro-rated amount for a portion of the damage based upon the remaining life expectancy of the bridge.

Commissioner Gentry moved to approve the settlement as amended (incorrect location address). Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF PROPOSED NO TRUCK ORDINANCE FOR BLACK OAK DRIVE AND INDIANA STREET

John Ayers presented a proposed no truck traffic Ordinance to reduce truck traffic on Black Oak Drive from County Road 750 East (Center St.) to County Road 825 East (Indiana St.) and on County Road 825 East (Indiana St.) from Old SR 267 to County Road 700 South and requested a Public Hearing be held for the matter.

Commissioner Palmer reported the quality of life for the residents of Sycamore Estates has been directly impacted negatively by the Airport and now by the warehouses and stated it is important for the County to do what they can to help.

Commissioner Whetstone moved to approve the request as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. The Public Hearing will be held during the October 27, 2020 Commissioners' Meeting.

Mark Richardson, resident of 8194 Black Oak Drive in Plainfield, thanked the Commissioners for considering the ordinance and reported semis cutting through are one of the main issues and stated it is very dangerous.

IN THE MATTER OF ELECTED OFFICIALS

Councilman David Cox expressed his concerns regarding the proposed changes to LINK funding with the possibility of IndyGo being in control and recommended speaking with surrounding counties.

Sheriff Brett Clark thanked everyone for their involvement in the groundbreaking ceremony for the new Jail and Sheriff's Office.

IN THE MATTER OF ANNUAL BIDS FOR HIGHWAY DEPARTMENT SUPPLIES

John Ayers requested permission to prepare the Notice to Bidders for the annual bids for Highway Department supplies for signing at the October 27, 2020 Commissioners' Meeting. Bids will be due before 9:00 AM on

It was the consensus of the Commissioners to proceed as requested.

IN THE MATTER OF NEW JAIL AND SHERIFF'S OFFICE

Kevin Cavanaugh reported the Town of Danville (TOD) has declined the County's proposal regarding their fees for the water and sewer for the new Jail and Sheriff's Office and presented the TOD's counterproposal. The TOD proposed waiving \$85,129.21 of the \$251,629.21 worth of fees and would still like the County to deed over the parking lot south of the Courthouse to them.

There was discussion amongst the Commissioners and Kevin Cavanaugh regarding the matter.

It was the consensus of the Commissioners for Commissioner Whetstone and Kevin Cavanaugh to be placed on the TOD's Council Meeting Agenda for an upcoming meeting. The Commissioners stated they have been very good neighbors to the TOD over the years and requested Kevin Cavanaugh work with Greg Steuerwald to compile a list of properties, easements, etc. the County has given to the TOD.

Kevin Cavanaugh reported the TOD does not believe a blanket utility easement is needed for their existing utilities located across the East Campus area and advised he disagrees and will research further. Kevin Cavanaugh stated upon preparing the easement, it's been discovered the current owner of the East Campus area is listed as "The Hendricks County Farm and Poor Asylum", and believes this is due to the age of the property and the lack of recorded history of property transfers and an in depth title search needs to be completed to get it corrected.

IN THE MATTER OF BATS IN THE GOVERNMENT CENTER

Kevin Cavanaugh presented a proposal from Phoenix Pest Control for remediating the bat issue in the Government Center and requested guidance on how to proceed. Kevin Cavanaugh reported he does not know if removal and cleanup of the remains above the ceiling are included or if the work is warrantied to prevent the bats from entering.

Commissioner Whetstone moved to authorize Commissioner Palmer to approve the proposal if the terms are satisfactory. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF ENTERPRISE FLEET VEHICLE ORDER

Todd McCormack presented the proposed Enterprise Fleet vehicle order for 2021 and requested approval. Todd McCormack reported the budget will be tight, but with the removal of a leased vehicle that will be turned in and replaced with a currently owned vehicle and if the vehicles sell for the projected amounts, there should be enough funds to cover the costs without asking the Council for additional.

Commissioner Whetstone moved to approve the order with an amendment to have the vehicle for the Coroner's Office be white and for it to have the County Seal to keep the fleet consistent. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLINICAL SOLUTIONS ADDENDUM J-CODE REVIEW

Erin Hughes presented the Clinical Solutions Addendum J-Code Review to the Pharmacy Services Agreement with True Rx and Unified Group Services and requested approval. Erin Hughes reported True Rx shall be paid a flat fee of twenty (20) percent of the savings recognized by Client capped at \$2,500.00 per claim per month and advised she would go to the Council for funding. Erin Hughes stated she believes this will save the County money in the long run. The Addendum will allow a review of all "J" coded medications for potential cost-reduction of the treatment, which may involve evaluating the appropriateness of the medication to be given in an alternative site of care, such as home infusion, and/or evaluating the cost of the medication if it was processed through the pharmacy benefit instead of the medical benefit.

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

IN THE MATTER OF MOTOROLA SOLUTIONS RADIO EQUIPMENT PURCHASE ORDER

Dawn Mason presented the Motorola Solutions Radio Equipment Purchase Order in the amount of \$333,667.35 for emergency portable radios for EMA and volunteer first responders and requested approval. Dawn Mason reported EMA will manage the radios and is creating a user policy for the costs of repair or replacement for damage, loss, or theft and will present it to Greg Steuerwald for review.

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

IN THE MATTER OF COMMISSIONERS

Commissioner Palmer reported Michael Pate, resident of 1531 S. County Road 900 E. in Avon, has contacted her requesting the County assist him in figuring out a possible annexation issue with a piece of property he owns and is trying to sell.

There was discussion amongst the Commissioners, Greg Steuerwald, Nancy Marsh, Tim Dombrosky, and John Ayers regarding the matter and Nancy Marsh advised she would research the matter further to see if there is an agriculture abatement or other issue she can find to help. Tim Dombrosky advised it is the responsibility of the Town to defend their annexation in question.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

CHECKS RECEIVED

- | | | |
|-------------|--------------------------|-------------|
| 1. \$720.00 | M/I Homes of Indiana, LP | Lot No. 205 |
|-------------|--------------------------|-------------|

TITLES ENDORSED

- | | | | | |
|---------|---------------|------------------------|---------------|------------|
| 1. 2008 | International | VIN: 1HTWPAZTX8J635485 | Highway Dept. | To Be Sold |
| 2. 2009 | International | VIN: 1HTWPAZT59J126566 | Highway Dept. | To Be Sold |

STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the Engineering Department Report of September 22, 2020 from John Ayers.
2. Receipt was acknowledged for the Facilities Dept. Report of September 22, 2020 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of Sept. 22, 2020 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of September 22, 2020 from Doug Morris.
5. Receipt was acknowledged for the HR Report of September 5, 2020 - September 18, 2020 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of August 31, 2020 – September 4, 2020 from Curt Higginbotham.
7. Receipt was acknowledged for the Emergency Management Report of September 4, 2020 – September 18, 2020 from Dawn Mason.
8. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period of August 1, 2020 through August 31, 2020 from Tim Dombrosky.
9. Receipt was acknowledged for the Parks & Recreation Dept. Report of Sept. 18, 2020 from Ryan Lemley.

CORRESPONDENCES RECEIVED

1. Low Cost Spay Neuter Clinic Hendricks County Statistic Report for August 1 to August 31, 2020.

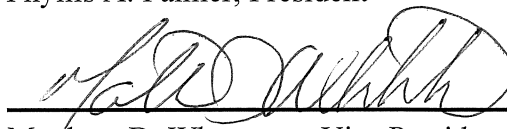
IN THE MATTER OF ADJOURNMENT

Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:51 AM on

Tuesday, September 22, 2020. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.



Phyllis A. Palmer, President



Matthew D. Whetstone, Vice President



Bob Gentry, Member