



HENDRICKS COUNTY BOARD OF COMMISSIONERS
MINUTES OF THE NOVEMBER 10, 2020 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, November 10, 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
John Ayers	Engineer
Erin Hughes	Human Resources Administrator
Doug Morris	I.T. Director
Kevin Cavanaugh	Facilities Manager
Tiffany Dalton	Chief Deputy Surveyor
Dawn Mason	Emergency Management Director
Brenda Wisener	EMA Administrative Assistant
Ryan Lemley	Parks and Recreation Superintendent
Theresa Lynch	Recorder (Appeared Telephonically)
Shawn Shelley	Treasurer (Appeared Telephonically)
Nicole Lawson	Assessor (Appeared Telephonically)
Catherine Haines	Court Administrator (Appeared Telephonically)
Joe Percy	Highway Department Assistant Superintendent (Appeared Telephonically)
Jarod Springman	Highway Department Asset Coordinator (Appeared Telephonically)
Tim Dombrosky	Planning Director (Appeared Telephonically)
Krista Click	Environmental Health Director (Appeared Telephonically)
Susan Bentley	Chief Probation Officer (Appeared Telephonically)
Megan Smith	Human Resources Assistant (Appeared Telephonically)

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

Commissioner Palmer opened the Meeting at 9:10 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 Whetstone moved to approve the Minutes of the October 27, 2020 Commissioners' Meeting as presented. Commissioner Gentry 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 199138 through 199697 and all Budgetary Claims presented from the Auditor's Office for the period beginning October 29, 2020 and ending November 11, 2020 as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COVID-19 UPDATE

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

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

Commissioner Whetstone moved to leave the Policy as is and to review it again at the November 24, 2020 Commissioners' Meeting. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Palmer inquired if there have been more positive employee cases. Todd McCormack reported there are approximately five active employee cases.

Commissioner Palmer reiterated the need for everyone to be vigilant about washing/sanitizing their hands, social distancing, and wearing masks.

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

Samuel Swafford, associate from Faegre Drinker Biddle & Reath, presented the Petition and Ordinance to Vacate Public Right-of-Way for the Petitioners, Marvin C. Martin Farms and Merlin E. Martin Family Limited Partnership, to vacate a portion of West County Road 650 South and South County Road 450 West and requested approval. Samuel Swafford reported the Martins own the majority of the property contiguous to the roadway and advised the adjacent property owners own land located immediately north of the northern-most portion and immediately south of the southern-most portion and none of their homes require the roadway for direct access to a public road as they are able to access U.S. 40 without it. Samuel Swafford advised the Martins will construct a cul-de-sac at each end of the vacated roadway on the Martins property if gates are installed. Samuel Swafford stated the reasons to remonstrate the vacation are very statutory in nature and proceeded to read them and advised the County came to Merlin Martin inquiring if he would be interested in pursuing the vacation.

Commissioner Palmer requested clarification on if the County contacted Merlin Martin to pursue the vacation as that is not how she remembered the request to come about. John Ayers clarified that the County did not initiate contact with Merlin Martin, Samuel Swafford contacted him to inquire if he thought the Commissioners would consider vacating the roadway at this time, since they withdrew the request back in 2018. John Ayers reported he and Curt Higginbotham are not opposed to the vacation.

There were several remonstrators present that live in the area, farm the area, and/or utilize the petitioned roadway daily. Laura Helmick (7590 S. County Road 450 W. in Stilesville), Deb Hoffman (7728 S. County Road 450 W. in Stilesville), Kris Brock (7270 W. US Highway 40 in Coatesville) representing Brock Family Farms and Nina Budd (4411 W. US Highway 40 in Stilesville), and Keevin Lemenager (10206 Herbenmont Road in Monrovia) all spoke for the remonstrators and strongly urged the Commissioners to deny the Petition and expressed concerns of it restricting and impacting access to their homes/farm ground, delaying response times of public safety entities, and closing off their exit out of the area when it floods. The remonstrators believe vandalism and illegal activities will increase as the proposed cul-de-sacs create a parking lot for the activity. The Commissioners received a letter from prior remonstrators, Jeff and Stephany Myrick, stating they still felt it was in the best interest of the community to keep the roadway open, but advised they decided to not pursue any further action. Laura Helmick stated she and several of her neighbors did not receive notice of the Petition and only found out from others.

There was discussion amongst the Commissioners, Greg Steuerwald, and John Ayers regarding the matter and the legal process of notification. Commissioner Gentry stated the requirements for notification meet the letter of the law but do not meet the spirit of the law and feels the County should consider implementing better notification requirements. Commissioner Palmer and Commissioner Gentry stated they were not ready to act on the matter and would like more time to research some of the concerns expressed by the remonstrators.

Commissioner Whetstone moved to table the matter until the December 8, 2020 Commissioners' Meeting to allow time to check on public safety access to the area before making a decision on the Petition. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF APPEAL REQUEST FOR WASHINGTON TOWNSHIP ASSISTANCE

Samah Ghobrial, resident of 2419 Duck Lane in Indianapolis, presented an Appeal to her denial of assistance from the Washington Township Trustee and advised she did not falsify her application as accused by the Trustee's Office. Samah Ghobrial stated her electricity was turned off for one day and service was restored after Family Promise made a payment on her behalf. Samah Ghobrial also denied wasteful spending stating she allows her teenage daughter to purchase fast food when she is not physically able to cook for her, purchased school clothes for her, and has to have internet for her to participate in e-learning. Samah Ghobrial reported she will be evicted in December if she does not pay her back rent, her short term disability has stopped, she has not been approved for long term disability, and feels she is not capable of working.

Britt Woodard, Washington Township Deputy Trustee, apologized to Samah Ghobrial for accusing her of falsifying her application and stated she double checked and her power was turned off for one day. Britt Woodard stated that per their guidelines the denial still stands due to wasteful spending on non-essential items totaling over \$600.00 in the month preceding her application for assistance, \$297.69 of which was spent at restaurants. Britt Woodard advised had the resources not been wasted, Samah Ghobrial could have paid her \$384.72 electric bill. Britt Woodard stated she is eligible to reapply once thirty (30) days have passed.

Greg Steuerwald advised the Commissioners determine if the Trustee's Office followed the procedures outlined in their Eligibility Standards and Guidelines for Township Assistance and do not determine applicant eligibility.

There was discussion amongst the Commissioners, Samah Ghobrial, and Britt Woodard regarding the matter.

Commissioner Whetstone moved to deny Samah Ghobrial's Appeal and affirm the Washington Township Trustee's Office followed the procedures outlined in their Eligibility Standards and Guidelines for Township Assistance to determine eligibility. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. The Commissioners stated Samah Ghobrial did not falsify her application and recommended she reapply for assistance and call 211 to see if there are other resources she may qualify for.

IN THE MATTER OF PROPOSED ORDINANCE FOR THE AMENDMENT OF THE HENDRICKS COUNTY TOURISM COMMISSION

Jaime Bohler Smith, Visit Hendricks County Executive Director, presented a proposed ordinance for the amendment of the Hendricks County Tourism Commission creating the Commission and reducing the number of members from nine to seven and requested a public hearing be scheduled for the matter.

Commissioner Whetstone moved to schedule a public hearing during the December 8, 2020 Commissioners' Meeting. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TAX ABATEMENT REQUEST FOR PROJECT FIORE

Victoria Ross-Frost, representative from 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 a personal property tax abatement for Project Fiore and requested approval to proceed with presenting the request to the Council. Victoria Ross-Frost reported Project Fiore is an outdoor sporting goods retailer that would like to construct a 443,000 square foot distribution center with small retail space and shooting range in the Hendricks Gateway Park in Clayton, Indiana. Project Fiore plans to bring three hundred (300) new jobs, with an average hourly wage of \$18.26 per hour, and add one hundred (100) new jobs per year after that. The estimated seven (7) year tax abatement would save approximately \$159,846.00.

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

IN THE MATTER OF REQUEST FOR AN ADDITIONAL LEASED VEHICLE FOR ADDED DRAINAGE INSPECTOR

Tiffany Dalton reported the Council approved adding a Drainage Inspector to the Surveyor's staff and requested

an additional leased vehicle for the new employee. Tiffany Dalton advised the Drainage Inspectors report each morning to pick up their paperwork and spend the rest of their day completing inspections in the field, which prohibits sharing a vehicle with another Inspector within their office.

Commissioner Whetstone inquired if there is a current leased vehicle that is underutilized to transfer to the Surveyor's Office. Todd McCormack stated the Enterprise reports identify one of the vehicles in the Facilities Department is underutilized. Todd McCormack reported that due to the lack of use, the underutilized vehicle is scheduled to be turned in when the 2021 vehicles arrive and not replaced. Instead of leasing the replacement, he plans to transfer the owned EMA vehicle to the Facilities Department when the new one comes in, to avoid paying for a leased vehicle that is underutilized. Todd McCormack advised the Enterprise reports show the Surveyor's Office does utilize all of the vehicles assigned to them.

Commissioner Palmer stated she would prefer to not add an additional vehicle and inquired if there are any other vehicles not being used that could be considered. Todd McCormack advised the Facilities Department vehicle is the least utilized vehicle in the fleet and recommended the Commissioners speak with Kevin Cavanaugh about transferring the vehicle to the Surveyor's Office. Commissioner Palmer suggested using it temporarily until the solution can be resolved. Commissioner Gentry stated a permanent solution needs to be in place before rainy season (February) gets here because the workload for the Surveyor's Office increases even more and it will be imperative for each Drainage Inspector to have a vehicle.

There was discussion amongst the Commissioners, Todd McCormack, and Tiffany Dalton regarding the Surveyor's Office taking over the underutilized vehicle in the Facilities Department or leasing a vehicle off the lot since the 2021 order has already been placed. Due to COVID-19 the 2021 vehicles will most likely not be in until late first quarter or possibly second quarter and leasing from the lot is the fastest way to get an additional vehicle. Tiffany Dalton stated she did not want to take a vehicle away from another department or cause any issues. Commissioner Whetstone stated Tiffany Dalton would not be taking the vehicle away, the Commissioners would be. Commissioner Palmer stated Kevin Cavanaugh is a team player.

It was the consensus of the Commissioners that the Surveyor's Office needs an additional vehicle and requested Todd McCormack attempt to find a vehicle within the current fleet.

Kevin Cavanaugh stated the vehicle in his department is underutilized, until it is not, and does not want to lose it. Kevin Cavanaugh advised he would speak with Tiffany Dalton to see if they can work something out for them to use the vehicle in the interim until another solution can be found.

IN THE MATTER OF 2020 3RD QUARTER INDOT CLAIM VOUCHER FOR LINK

Jamie Howard, representative from LINK, presented the 2020 3rd Quarter INDOT Claim Voucher for LINK in the amount of \$211,828.00.00 and requested approval. Nancy Marsh reported the Auditor's Office reviewed the Link documentation and advised all is in order.

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

IN THE MATTER OF GRANT OF EASEMENT TO DUKE ENERGY INDIANA, LLC.

Kevin Cavanaugh presented a Grant of Easement to Duke Energy Indiana, LLC. for service to the new Jail and Sheriff's Office and requested approval.

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

IN THE MATTER OF PROPOSALS FOR THE COURTHOUSE PUBLIC RESTROOMS UPGRADE

Kevin Cavanaugh presented proposals from Eddy Plumbing in the amount of \$22,850.00, Jack Laurie Group in the amount of \$21,000.00, and Richeson Cabinet Company in the amount of \$6,895.00 for the Courthouse public restrooms upgrade 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 ADDENDUM TO EAGLE RIDGE CIVIL ENGINEERING SERVICES AGREEMENT

John Ayers presented an Addendum to the Eagle Ridge Civil Engineering Services Agreement in the amount of \$60,800.00 for additional work on the County Road 925 East and County Road 900 East drainage projects and recommended approval.

Commissioner Gentry moved to approve the Addendum as presented. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0. It was the consensus of the Commissioners for John Ayers to sign the Addendum.

IN THE MATTER OF AGREEMENT FOR ADVANCE RIGHT-OF-WAY CLEARING FOR GU-081 AND GU-095

John Ayers reported he obtained two quotes for the advance right-of-way clearing for GU-081 and GU-095, one from Artistic Touch Tree Service in the amount of \$8,500.00 and one from Ray Collier Logging in the amount of \$18,000.00, and recommended approval to proceed with Artistic Touch.

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

IN THE MATTER OF INDOT AGREEMENT FOR RELINQUISHMENT OF A PORTION OF SR 267 TO PLAINFIELD

John Ayers presented an Interlocal Agreement with INDOT for the relinquishment of a portion of SR 267 within the Town of Plainfield's (TOP) corporate limits to the TOP and recommended approval. John Ayers reported the County will receive credits from INDOT for the relinquishment, that shall be used for other federal aid projects, and plans to use them to cover a portion of the costs for improvements to County Road 1000 N. between SR 267 and the Ronald Reagan Parkway.

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 INTERLOCAL AGREEMENT WITH PLAINFIELD FOR BRIDGES ON SR 267

John Ayers presented an Interlocal Agreement with the Town of Plainfield (TOP) for the transfer of some bridges and culverts on SR 267 to the TOP and recommended 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 REQUEST TO PURCHASE VEHICLES FOR HIGHWAY DEPARTMENT

John Ayers requested approval to purchase two dump trucks totaling \$206,880.00 for the Highway Department to replace two old dump trucks. John Ayers advised current funds are available to cover the purchase.

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

IN THE MATTER OF ELECTED OFFICIALS

Shawn Shelley reported tax payments continue to come in.

Theresa Lynch thanked Doug Morris for assisting her office with their special IT needs to keep her office running.

IN THE MATTER OF PROPOSED LEASE WITH LEADERSHIP HENDRICKS COUNTY

Doug Morris reported the copier vendor would prefer the County wait until the Extension Office copier is replaced

to install access controls to it due to the age of the current copier.

Commissioner Palmer inquired if the proposed Lease with Leadership Hendricks County (LHC) should state LHC will provide their own printer/copier and not use the County's since usage cannot be tracked for reimbursement.

Doug Morris stated he would prefer LHC obtain their own device as suggested by Commissioner Palmer as LHC needs to be responsible for their own equipment and supplies. Commissioner Palmer agreed.

IN THE MATTER OF COMMENTS FROM THE FLOOR

No matters presented.

IN THE MATTER OF COMMISSIONERS

Commissioner Whetstone inquired the status of the proposed off-road vehicle ordinance and requested Mila Shaffer place the matter on the Agenda for the November 24, 2020 Commissioners' Meeting. Commissioner Palmer and Todd McCormack advised Greg Steuerwald is working with Sheriff Brett Clark to exclude certain townships and to make sure any other restrictions are included.

Commissioner Whetstone reported the County needs to select bond underwriting counsel for the Jail bonds and recommended selecting Stifel.

Commissioner Whetstone moved to approve selecting Stifel as bond underwriting counsel as recommended. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Whetstone congratulated Commissioner Palmer and Dennis Dawes for winning the election for County Commissioners.

The Commissioners congratulated the elected officials for their wins in the election. Commissioner Palmer commended everyone for their hard work and dedication that contributed to a successful election and expressed her appreciation for everyone's cooperation and patience as well.

Commissioner Palmer requested Erin Hughes provide an update on open enrollment for 2021. Erin Hughes reported open enrollment is going well and will be wrapped up soon.

Commissioner Palmer reported she saw a few bicyclists out at W.S. Gibbs Memorial Park on Sunday. Ryan Lemley stated he and his family were out there with Paul Miner riding their bikes.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

CHECKS RECEIVED

- | | | | |
|---------------------|--------------------------|------------------------|----------------------|
| 1. \$720.00 Per Lot | M/I Homes of Indiana, LP | Multiple Lots | |
| 2. \$2,985.19 | Travelers | Claim No. 028ADFP8097P | Sheriff's Department |

TITLES ENDORSED

- | | | | | |
|---------|-------------------|------------------------|-------------------|-----------|
| 1. 2010 | Sure-Trac Trailer | VIN: 5JWTU2025A1030020 | Surveyor's Office | Traded In |
|---------|-------------------|------------------------|-------------------|-----------|

STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the Engineering Department Report of November 10, 2020 from John Ayers.
2. Receipt was acknowledged for the Facilities Dept. Report of November 10, 2020 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of November 10, 2020 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of November 10, 2020 from Doug Morris.

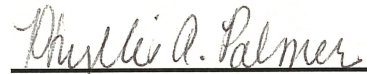
5. Receipt was acknowledged for the HR Report of October 24, 2020 – November 6, 2020 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of October 19, 2020 – October 23, 2020 and October 26, 2020 – October 30, 2020 from Curt Higginbotham.
7. Receipt was acknowledged for the Emergency Management Report of October 24, 2020 – November 10, 2020 from Dawn Mason.
8. Receipt was acknowledged for the Animal Control/Shelter Report of October 2020 from LaDonna Hughes.
9. Receipt was acknowledged for the Parks & Recreation Report of November 6, 2020 from Ryan Lemley.

CORRESPONDENCES RECEIVED

1. Letter from Jeff and Stephany Myrick.
 2. Low Cost Spay Neuter Clinic Hendricks County Statistic Report for October 1 to October 31, 2020.
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IN THE MATTER OF ADJOURNMENT

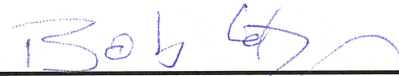
Commissioner Whetstone moved to adjourn the Hendricks County Commissioners' Meeting at 11:09 AM on Tuesday, November 10, 2020. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.



Phyllis A. Palmer, President



Matthew D. Whetstone, Vice President



Bob Gentry, Member