



## **HENDRICKS COUNTY BOARD OF COMMISSIONERS**

### **MINUTES OF THE SEPTEMBER 14, 2021 MEETING**

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, September 14, 2021 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
Bob Gentry	Commissioner, Vice President
Dennis W. Dawes	Commissioner
R. Todd McCormack	Executive Director
Mila M. Shaffer	Administration and Public Affairs
Greg Steuerwald	Attorney
Nancy Marsh	Auditor
John Ayers	Engineer
Nicole Lawson	Assessor
David Gaston	Surveyor
Tiffany Dalton	Chief Deputy Surveyor
Jack Sadler	Merit Captain
Erin Hughes	Human Resources Administrator
Kevin Cavanaugh	Facilities Manager
Doug Morris	I.T. Director
Ryan Lemley	Parks & Recreation Superintendent
Shawn Shelley	Treasurer (Attended Remotely)
Susan Bentley	Chief Probation Officer (Attended Remotely)
Kim Galloway	Assistant Engineer (Attended Remotely)
Curt Higginbotham	Highway Department Superintendent (Attended Remotely)
Joe Percy	Highway Department Assistant Superintendent (Attended Remotely)
Terry Benton	Highway Department Office Manager (Attended Remotely)
Krista Click	Environment Health Director (Attended Remotely)
Tim Dombrosky	Planning & Building Director (Attended Remotely)

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

Commissioner Palmer opened the Meeting at 9:04 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.

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

Commissioner Dawes moved to approve the Minutes of the August 24, 2021 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 Gentry moved to approve Direct Deposit Check Numbers 210463 - 211478 and Budgetary Claims presented from the Auditor's Office for the period beginning August 26, 2021 and ending September 15, 2021 as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

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#### **IN THE MATTER OF PROPOSED NUISANCE CONTROL ORDINANCE**

There was discussion amongst the Commissioners and Greg Steuerwald regarding the draft ordinance.

It was the consensus of the Commissioners for Greg Steuerwald to make some additional amendments and present the final draft for consideration at the September 28, 2021 Commissioners' Meeting. If approved, a notice of public hearing regarding the proposed ordinance will be published in The Republican, possibly held in October.

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**IN THE MATTER OF DOMESTIC VIOLENCE AWARENESS & PREVENTION MONTH  
PROCLAMATION**

The Commissioners presented Jenna Terry, Sheltering Wings representative, with a proclamation proclaiming the month of October 2021 as "Domestic Violence Awareness & Prevention Month" in Hendricks County.

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**IN THE MATTER OF WELCOME HOME VIETNAM VETERANS DAY PROCLAMATION**

The Commissioners presented Rhonda Beck, DAR Wa-Pe-Ke-Way Chapter representative, with a proclamation proclaiming September 29, 2021 as "Welcome Home Vietnam Veterans Day" in Hendricks County and commended her for her outstanding dedication to and recognition of the County's Veterans.

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**IN THE MATTER OF HRH YMCA GOBBLE GALLOP**

Mary Beth Carmichael and Jessica Ledford, HRH YMCA representatives, presented a route map for the 2021 HRH YMCA Gobble Gallop to be held Thanksgiving morning and requested permission to proceed. Jessica Ledford advised they plan to close County Road 100 N. from Inland Drive to County Road 900 E. and County Road 900 E. from County Road 100 N. to Prairie Trail during the event. Avon Police will assist with the closure.

It was the consensus of the Commissioners to approve the request as presented.

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**IN THE MATTER OF 2022 HEALTHCARE OPTIONS**

Bill Sylvester, Apex Benefits representative, presented the 2022 healthcare options recommended by the Benefits Committee and the Council and requested approval. Bill Sylvester reported the recommendations are to change from two plans (HRH HDHP/PPO & Encore HDHP/PPO) to one plan (HDHP/PPO) that has deductible tiers of HRH Tier I, UnitedHealthcare Tier II, and out-of-network Tier III and to change from Unified Group Services to UMR as the third-party administrator (TPA). Unified Group Services has been a very valuable partner to the County for a very long time. Bill Sylvester advised the change to UMR is required as they are the only TPA UnitedHealthcare allows to service their products. Bill Sylvester stated some employee premiums will go up \$10.00-\$20.00 per month per tier and some will go down depending on what plan they are currently on. Nancy Marsh corrected Bill Sylvester and stated the increase would be per pay and not per month.

There was discussion amongst the Commissioners, Nicole Lawson, John Ayers, Erin Hughes, and Bill Sylvester regarding the effective date, Council contributions to employees selecting the HDHP, and when/how employees would be notified of the changes.

Erin Hughes reported the changes take effect January 1, 2022 and stated the Council will make HDHP HSA contributions of \$1,000.00 for single coverage and \$2,000.00 for one plus coverage. Erin Hughes advised open enrollment will occur in November this year with the changes being announced in an email sometime in October and during the annual open enrollment meetings that will be conducted via Zoom instead of in person.

Commissioner Dawes moved to approve the 2022 healthcare plan changes as recommended by the Benefits Committee and the Council. Commissioner Gentry seconded the motion and stated he respectfully and philosophically disagrees with part of the County's enrollment process. Commissioner Palmer stated she thinks Commissioner Gentry is referring to the Zoom aspect of the process instead of the in person that has always been done in the past and advised these are big changes for 2022 and personal contact with employees is important. Commissioner Palmer advised she wants each employee to know what is happening and what their benefits are. The Commissioners advised they wanted in person meetings to be held, stating the employees deserve that option, especially with the major changes taking place for 2022 and want paper copies of the changes sent out in addition to the email. The motion was approved unanimously 3-0-0.

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**IN THE MATTER OF AMENDMENT TO THE PICTOMETRY AGREEMENT**

Nicole Lawson presented an amendment to the Pictometry Agreement with Pictometry International Corp. to Commissioners' Meeting Minutes – September 14, 2021

conduct flights annually instead of biennially for the remainder of the Agreement and requested approval.

There was discussion amongst the Commissioners, Todd McCormack, and Nicole Lawson regarding the matter and the cost sharing Interlocal Agreement with the four larger towns and if their contribution amounts should be increased with this amendment. Todd McCormack recommended not redoing the current Interlocal Agreement and waiting to adjust their contributions with the renewal of the Pictometry Agreement.

Commissioner Gentry moved to approve the amended Agreement as presented. Commissioner Dawes seconded the motion and Commissioner Palmer called for questions. Darrell Arnett, resident at 239 N. Center Street in Plainfield, inquired if contracts are sent out for bid. Nicole Lawson reported this company has proprietary of this type of work and advised other contracts are advertised for bids as required by statutes. The motion was approved unanimously 3-0-0.

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#### **IN THE MATTER OF NOTICE TO BIDDERS FOR ANNUAL TRENDING SERVICES**

Nicole Lawson presented a Notice to Bidders for Annual Trending Services and requested permission to proceed with advertising. Bids are due by 9:00 AM local time on September 28, 2021.

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

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#### **IN THE MATTER OF ORDINANCE CREATING ARP FUND AND APPOINTMENTS TO THE ARP FUNDING COMMITTEE**

Nancy Marsh presented an Ordinance Creating a New Fund for the Receipt of Funding from the American Rescue Plan as Adopted by Congress in 2021 and requested approval.

Commissioner Dawes 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. 2021-51.

Commissioner Gentry moved to appoint Brett Clark, Dennis Dawes, Catherine Haines, Kendall Hendricks, Marina Keers, Nancy Marsh, Tami Mitchell, and Julie Randall to serve on the ARP Funding Committee. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0. Appointees shall serve until they resign or are removed by the Commissioners.

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#### **IN THE MATTER OF PROPOSAL FROM JOE POWELL CONSTRUCTION FOR RECORDER'S OFFICE**

Kevin Cavanaugh presented a Proposal from Joe Powell Construction for \$21,200.00 for modifications to the Recorder's Office and requested approval.

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

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#### **IN THE MATTER OF PROPOSAL FROM JOE POWELL CONSTRUCTION FOR SURVEYOR'S OFFICE**

Kevin Cavanaugh presented a Proposal from Joe Powell Construction for \$10,700.00 for modifications to the Surveyor's Office and requested approval.

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

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#### **IN THE MATTER OF WILLOUGHBY INDUSTRIES QUOTATION FOR WORK RELEASE**

Kevin Cavanaugh presented a Quotation from Willoughby Industries for \$54,240.00 for new shower equipment and controls for the Work Release Facility using ARP funds and requested approval. Kevin Cavanaugh advised installation of the equipment and controls will be completed by the Facilities Department.

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

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**IN THE MATTER OF NOTICE TO BIDDERS FOR CR 900 EAST DRAINAGE IMPROVEMENTS**

John Ayers presented a Notice to Bidders for CR 900 East Drainage Improvements and requested permission to proceed with advertising. Bids are due by 9:00 AM local time on October 12, 2021.

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

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**IN THE MATTER OF NEESE DRAINAGE ISSUE**

John Ayers reported that during the work for the drainage improvements near County Road 1000 N. at County Road 650 E. project, the perimeter drain outlet connecting to the Phillips legal drain for Charles and Jaime Neese's property (9719 N. County Road 650 E. in Pittsboro) appeared to be damaged, disconnected, or somehow rendered dysfunctional. John Ayers stated this is the Commissioners' issue since the legal drain going north was vacated. Tiffany Dalton advised the legal drain tile was not vacated, the open ditch on the north side of County Road 1000 N. was vacated, David Gaston concurred.

John Ayers stated the Neese's drainage pipe needs to be reconnected one way or another and requested guidance on how to proceed and gave the following options:

- Take the Neese's drain north to tie into the concrete structure at County Road 1000 N.
- Take the Neese's drain south to tie into the Phillip's legal drain there
- Daylight the Neese's drain into the open ditch

Commissioner Gentry stated he was in favor of whichever method the Neese's would prefer. The Commissioners inquired which method was the Neese's preferred one. Charles Neese advised they would prefer their drain be reconnected back to the way it was permitted by the County when their home was built in 2007 and wishes to be connected into the structure at County Road 1000 N.

John Ayers advised he did not know if there was enough fall for that to be an option. Tiffany Dalton stated there is 9/10<sup>ths</sup> of a foot of fall, enough for it to be an option, and would be the Surveyor's preferred reconnection method.

Commissioner Palmer stated she was picking up on some hesitancy from John Ayers and requested he elaborate. John Ayers stated the Neese's preferred method was not Engineering's preferred method, expressed his concern that there may be an issue with proper restoration of the ditch banks, routing of the new tile under the ditch flowline, underground utilities using their method, and advised if the utilities are an issue the reconnection could become quite costly.

Commissioner Gentry inquired if Tiffany Dalton believed there would be issues with the utilities. Tiffany Dalton advised she did not believe there would be but stated she could not be certain until the locates were completed.

Commissioner Dawes moved to approve proceeding with reconnecting the drain using the method preferred by the Neese's, with the work completed by the lowest responsive and responsible vendor, and requested John Ayers have the utilities located and obtain quotes. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Gentry advised if the utilities are determined to be an issue requiring extensive, costly design and work, to bring the matter back to the Commissioners to reassess.

Commissioner Palmer thanked Charles Neese for his time and patience as the matter is dealt with.

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**IN THE MATTER OF ELECTED OFFICIALS**

No matters presented.

## **IN THE MATTER OF DIANA VIRGIL**

John Ayers reported Diana Virgil, very involved Hendricks County resident and B&O Trail Association Vice President, passed away on September 10, 2021. Diana Virgil was a driving force behind the B&O Trail and was a passionate and outstanding citizen that will be dearly missed.

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## **IN THE MATTER OF JOINT WORKSHOP WITH THE COUNCIL**

Kevin Cavanaugh reported Envoy made a successful presentation during the Joint Workshop with the Council on August 24, 2021 and presented a sample resolution that would be needed should the Commissioners decide to adopt the provisions if IC 5-23 to enter into a public-private agreement for capital project delivery methods.

There was discussion amongst the Commissioner and Kevin Cavanaugh regarding how the method works.

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## **IN THE MATTER OF USE OF COURTHOUSE SQUARE GROUNDS**

Kevin Cavanaugh reported Rhonda Beck, DAR Wa-Pe-Ke-Way Chapter representative, requested permission to utilize the Courthouse Square for a special recognition display and ceremony on Veterans Day, November 11th, where luminaries will be lit at dusk to honor Veterans.

It was the consensus of the Commissioners to approve the request as presented.

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## **IN THE MATTER OF EASEMENT REQUEST AT FAIRGROUNDS**

Kevin Cavanaugh presented a proposed easement request from Endeavor Communications for the Fairgrounds property and requested approval to proceed with Endeavor presenting it to the Building Facilities Corporation. Kevin Cavanaugh reported this request was originally initiated back in late 2019, but Endeavor didn't follow through, and are requesting to pick it back up. They are planning to construct a small communications equipment building in the southwest corner of the Fairgrounds property.

Greg Steuerwald advised the consideration needs to be made payable to the Hendricks County Board of Commissioners and stated the final description and easement location needs to be based upon the Surveyor's report, Exhibit A, not left at Endeavor's discretion as notated in Exhibit B. Greg Steuerwald advised the current language was not acceptable and gives Endeavor permission to place the structure anywhere on the property.

It was the consensus of the Commissioners to approve the matter proceeding to the Building Facilities Corporation once Greg Steuerwald's revisions have been made and approved by him. Commissioner Palmer stated the matter needs to be communicated with the Fairgrounds before it is approved by the Building Facilities Corporation.

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

Jay Thompson, Pittsboro Town Councilman, inquired if the smaller towns contribute towards the Pictometry Agreement. Commissioner Palmer advised only the larger towns (Avon, Brownsburg, Danville, & Plainfield) currently contribute equal amounts. Jay Thompson recommended the County reach out to the Town for the next Agreement to inquire about contributing since it benefits the Town of Pittsboro.

Jamie Holtsclaw, resident at 6657 Gadsden Court in Plainfield, reported today was the first Commissioners' Meeting she had ever attended and thanked the Commissioners and County employees for all they do to keep the County running. Jamie Holtsclaw advised she had no idea how much everyone was responsible for.

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## **IN THE MATTER OF COMMISSIONERS**

Commissioner Gentry inquired if Northwest Hendricks School Corporation had contacted Nancy Marsh. Nancy Marsh advised she has not received any messages or emails from them.

Commissioner Palmer reminded the Commissioners of their Joint Workshop with the HRH Board of Trustees at 8:30 AM on September 20, 2021 at HRH.

Commissioner Dawes reported the Commissioners have received public comments regarding COVID mandates, masks, and vaccines and wanted to make some comments personally and not as Commissioner. Commissioner Dawes advised he personally believes it is up to the individual and/or the individual's guardian(s) to make their own decisions regarding masks and vaccines and stated he does not favor mandates at all. Commissioner Dawes advised if the County were to do something at some point, that is where he would be coming from. Commissioner Dawes stated he supports and encourages vaccines but receiving vaccines is a personal decision and feels vaccines and personal immunity is how we can best combat COVID.

Commissioner Gentry stated he wholeheartedly agrees with Commissioner Dawes and his standpoint on COVID.

Commissioner Dawes reported Governor Holcomb established the Governor's Public Health Commission via Executive Order 21-21 to review our public health system at the state and local levels. The Commission will study public health infrastructure, hear testimony, and make recommendations for long-term improvement to facilitate Hoosiers in reaching their optimal health, regardless of where they live, learn, work, or play. Commissioner Dawes advised the Commission will issue a report to the Governor pointing out the strengths and weaknesses of Indiana's current public health system and recommending how best to move forward, ultimately leading to draft bill language for the 2023 legislative session.

Commissioner Dawes stated he was one of three public officials appointed to the Commission by the Governor and advised there are a total of fifteen appointees on the Commission.

Commissioner Palmer stated this is quite an honor and Commissioner Dawes will be good on the Commission.

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## **IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE**

### **CHECKS RECEIVED**

1. \$720.00 Per Lot	M/I Homes of Indiana, LP	Lot 221, 235, & 251
2. \$678.00	EPIC Insurance	Refund of Duplicate Billing
3. \$2,393.95	Travelers	Claim No. 028ABFQJ8986M – Sheriff's Dept.
4. \$6,874.94	Travelers	Claim No. 028ADFRW6102N – Sheriff's Dept.

### **STAFF REPORTS RECEIVED**

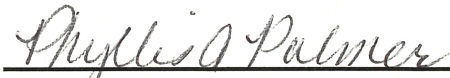
1. Receipt was acknowledged for the Engineering Department Report of September 14, 2021 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of Sept. 14, 2021 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of Sept. 14, 2021 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of September 14, 2021 from Doug Morris.
5. Receipt was acknowledged for the HR Report of August 21, 2021 – September 10, 2021 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of August 16, 2021 – August 20, 2021 from Curt Higginbotham.
7. Receipt was acknowledged for the Animal Control/Shelter Report of August 2021 from LaDonna Hughes.
8. Receipt was acknowledged for the EMA Report of August 21, 2021 – Sept. 2, 2021 from Dawn Mason.
9. Receipt was acknowledged for the Parks & Recreation Report of September 10, 2021 from Ryan Lemley.

### **CORRESPONDENCE RECEIVED**

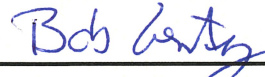
1. Letter from Rock Creek Partners regarding Kellum-Jessup-Chandler Farm.
2. Letter from the Town of Plainfield approving the plans and specifications for sanitary sewer improvements for Reagan Logistics Park.
3. Notice of Public Hearing by the Brownsburg Advisory Plan Commission for Case No. PCPP-08-21-1940, Brownsburg Senior Living, from Innovative Engineering.
4. Notice of Public Hearing by the Brownsburg Advisory Plan Commission for Case No. PSDP-08-21-1938, Scannell Properties, from American Structurepoint.
5. August 2021 Monthly Progress Report from Garmong Construction Services for the new Jail.

## IN THE MATTER OF ADJOURNMENT

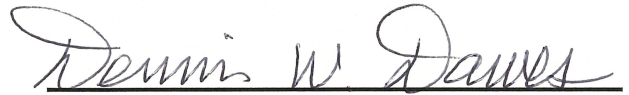
Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:42 AM on Tuesday, September 14, 2021. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.



Phyllis A. Palmer, President



Bob Gentry, Vice President



Dennis W. Dawes, Member