



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE DECEMBER 10, 2019 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, December 10, 2019 in the Commissioners' Meeting Room located on the first floor of the Hendricks County Government Center at 355 S. Washington Street, Danville, IN 46122 with the following Hendricks County personnel in attendance:

Phyllis A. Palmer	Commissioner, President
Bob Gentry	Commissioner
Mila M. Shaffer	Administration and Public Affairs
Greg Steuerwald	Attorney
John Ayers	Engineer
Roger Call	Chief Deputy Sheriff
Tami Mitchell	Financial Administrator
Erin Hughes	Human Resources Administrator
Kevin Cavanaugh	Facilities Manager
Curt Higginbotham	Highway Department Superintendent
Dr. David Stopperich	Health Officer
Krista Click	Environmental Health Director
Tim Dombrosky	Planning Director
Suzanne Baker	Senior Planner
Cinda Kattau	Administrative Specialist/Grant Coordinator
James Mardis	Regional Sewer/NPES Director
Bridgette Collins-George	Director of Work Release
Susan Bentley	Chief Probation Officer
Eric Ivie	Parks and Recreation Assistant Superintendent

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

Commissioner Palmer opened the Meeting at 9:23 AM with a quorum of two (2) Commissioners present and led the Pledge to the Flag in unison. Commissioner Gentry gave a brief prayer for those who wished to participate.

IN THE MATTER OF RETIREMENT

Commissioner Palmer announced the retirement of Cinda Kattau, former Auditor, and thanked her for her twenty-two (22) years of dedicated service to Hendricks County.

IN THE MATTER OF MINUTES

Commissioner Palmer thanked Mila Shaffer for her outstanding work drafting the Minutes from the lengthy, detailed November 26, 2019 Commissioners' Meeting.

Commissioner Gentry moved to approve the Minutes of the November 26, 2019 Commissioners' Meeting as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF CLAIMS

Commissioner Palmer's questions regarding claims were answered. Commissioner Gentry moved to approve Direct Deposit Check Numbers 186452 through 186960 and all Budgetary Claims presented from the Auditor's Office for the period beginning November 28, 2019 and ending December 11, 2019, dated December 11, 2019. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF INTERLOCAL AGREEMENT WITH THE TOWN OF AVON

Tom Klein, representative from the Town of Avon (TOA), presented a proposed Interlocal Agreement for the transfer of planning and building jurisdiction from the County to the TOA for the territory known as the 2019 Southwest Township Annexation territory during the annexation process that was tabled from the November 26, 2019 Commissioners' Meeting and requested approval.

Commissioner Palmer inquired if the TOA, Tim Dombrosky, and the developer had discussed the matter as requested. Tim Dombrosky advised the developer was not interested in meeting for discussions with the TOA and stated the rezoning application had been submitted to the County for review.

Commissioner Gentry asked Tom Klein if the TOA's concern with the development, prompting their request for the Interlocal Agreement, was that the County's Plan Commission may approve something the TOA does not want in the area.

Tom Klein stated this was their concern and advised there were no voluntary annexation remonstrators at their Public Hearing on December 2, 2019 and the TOA plans to proceed with the annexation process in 2020. Tom Klein advised if the Agreement is not approved, the TOA plans to come to the County's Plan Commission Meeting on January 14, 2020, and request the County not approve rezoning the area of the development as they are in the process of annexing it. If rezoning is approved by the County's Plan Commission, Tom Klein advised the TOA would come to the Commissioners and request they not approve the rezoning recommendation from the Plan Commission. Commissioner Gentry stated the TOA running the matter through the County's Plan Commission, instead of the Commissioners approving the Agreement, helps to protect the individuals outside the TOA's corporate limits.

Tim Dombrosky expressed his concerns regarding any applications for this area that may come in during the waiting period before the proposed annexation Ordinance takes effect. Greg Steuerwald advised any rezoning approved by the County could be changed by the TOA if their proposed annexation Ordinance goes through.

Commissioner Palmer and Commissioner Gentry advised there were too many concerns and questions regarding the matter and stated the developer has already paid fees and applied for rezoning with the County.

Commissioner Gentry moved to table the matter until further advisement from the Plan Commission. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF RESOLUTION ADOPTING THE 2019 HENDRICKS COUNTY THOROUGHFARE PLAN

Commissioner Palmer reported a lot of time was spent amending the 2019 Hendricks County Thoroughfare Plan and expressed appreciation for all who gave input and worked on it, including the residents who spoke out.

Tim Dombrosky presented the amended 2019 Hendricks County Thoroughfare Plan and recommended approval as amended for it to be brought back to the Plan Commission for consideration. Tim Dombrosky reported the substantial amount of amendments were to Page 55 and Page 75 in an effort to soften the County's support of the Towns' plans, as recommended during the November 26, 2019 Commissioners' Meeting, to be less specific about the location of the north south connector and stated the Plan better incorporates the feedback from residents.

Commissioner Gentry moved to approve the Plan as amended and to send it to the Plan Commission for consideration. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0. Tim Dombrosky advised the amended Plan would be heard at the January 14, 2020 Plan Commission Meeting as the Minutes from today's Meeting serve as the official report for the Plan Commission.

RESOLUTION ASSIGNING A TAX SALE CERTIFICATE TO THE TOWN OF PITTSBORO

Steve Maple, representative from the Town of Pittsboro (TOP), requested approval of a Resolution Assigning a Tax Sale Certificate or a Letter of Intent for Parcel ID No. 32-02-31-400-003.000-018 that is located outside their

corporate limits to be used to construct Scamahorn Park and part of the trail leading to it. The Parcel is approximately .49 acres and in the northwest corner of the Brixton Woods Subdivision and has gone unsold at the past few tax sales. Steve Maple reported the TOP needs the approval of one of the items from the Commissioners before December 23, 2019 for their Next Level Trails grant application to be considered by DNR.

Greg Steuerwald advised he has been working with Nancy Marsh and the TOP's attorney and stated it is more complex than other tax sale certificate assignments because the parcel is not inside corporate limits. According to statute, notification of the assignment to surrounding property owners would come at the end of the process and would be the TOP's responsibility.

Commissioner Gentry moved to approve either the Resolution or the Letter of Intent, whichever is approved and recommended by Greg Steuerwald, and for Commissioner Palmer to execute the document. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF HENDRICKS GATEWAY PARK PROJECT BOND PURCHASE AGREEMENT

Bruce Donaldson, representative from Barnes & Thornburg, LLP., presented the Hendricks Gateway Park Project Bond Purchase Agreement with MCC Properties #100, LLC. in the amount of \$7,500,000.00 and recommended approval. Bruce Donaldson stated the Agreement has already been approved by the Redevelopment Commission and the Council and is part of the 70/39 Commerce Park TIF Allocation Area.

Commissioner Gentry moved to approve the Agreement as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF DEPARTMENT OF CORRECTION GRANT AGREEMENT

Susan Bentley presented the 2020 Department of Correction Grant Agreement in the amount of \$1,082,369.00 (\$887,966.00 for Community Corrections and \$194,403.00 for Probation) and requested approval.

Commissioner Gentry moved to approve the Agreement as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF PHASE II ENVIRONMENTAL SITE ASSESSMENT PROPOSAL

Kevin Cavanaugh presented the Phase II Environmental Site Assessment Proposal for the current Highway Department site from Alt & Witzig Consulting Services in the amount of \$11,130.00 and requested approval. Kevin Cavanaugh advised this Assessment will let the County know of any areas requiring remediation.

Commissioner Gentry moved to approve the Proposal as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF BID AWARDING FOR 2020 HIGHWAY DEPARTMENT PRODUCTS AND SUPPLIES

John Ayers presented the following award recommendations for the 2020 Highway Department Products and Supplies and requested approval:

VENDOR	PRODUCTS AND SUPPLIES
Asphalt Materials	Bituminous Materials; Liquid Asphalt, AE-90, RS2 F.O.B.
Milestone	Bituminous Materials; HMA Intermediate Type A F.O.B., HMA Surface Type A F.O.B., HMA Intermediate Type A Paver Laid, HMA Surface Type A Paver Laid, Cold Mix, and Liquid Asphalt AE-60
Co-Alliance	Fuel; E-10 Unleaded Reg. and Winterized Diesel 70/30 Blend
Petroleum Traders	Fuel; Premium Diesel 48+ Cetane
Core & Main	Pipe; H.D.P.E.
E3Bridge	Pipe; Corrugated, H.D.P.E., and Aluminized

Metal Culverts	Pipe; Corrugated and Aluminized
St. Regis	Pipe; Corrugated and Aluminized
US Aggregates (Primary)	Stone; INDOT Snow and Ice Abrasive, #1, #2, #4, #5, #7, #8, AP #8, #9, #11, Double Wash #11, #53, #73, Rip-Rap Revetment, Uniform Rip-Rap, and Shot Rock
Lincoln Park (Secondary)	Stone; #0, #1, #2, #4, #5, #8, #8 Commercial Grade, #9, #9 Commercial Grade, #11, #11 Commercial Grade, #53, #53 Commercial Grade, #73, Rip-Rap Revetment, and Uniform Rip-Rap

Commissioner Gentry moved to approve awarding the Contracts as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0. John Ayers advised he would get the Contracts to the Commissioners for their signatures.

IN THE MATTER OF INDOT CHANGE ORDER FOR RONALD REAGAN PARKWAY

John Ayers presented the INDOT Change Order for Ronald Reagan Parkway in the amount of \$1,375,000.00 as part of the Settlement Agreement INDOT reached with Superior Construction Company and requested approval. John Ayers advised the County's contribution would be \$275,000.00 and stated this Change Order and INDOT's Settlement Agreement do not resolve the remaining issues on the project with Superior Construction Company.

Commissioner Gentry moved to approve the Change Order as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF ELECTED OFFICIALS

No matters presented.

IN THE MATTER OF BRIDGE NO. 201 RIGHT-OF-WAY ADMINISTRATIVE SETTLEMENT

John Ayers presented a Recommendation for Administrative Settlement Memorandum in the amount of \$5,560.00 for a parcel needed for Bridge No. 201 right-of way and recommended approval.

Commissioner Gentry moved to approve the Memorandum as presented. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

IN THE MATTER OF INTERSECTION OF S. RACEWAY RD. & E. NORTH COUNTY LINE RD.

John Ayers reported the Highway Department will be changing the signage and adding some rumble strips at the intersection of S. Raceway Road and E. North County Line Road for added awareness and advised he continues to research other barrier methods that could be utilized.

Greg Steuerwald advised he would provide the update to Tom Warthen, on behalf of Glennis Cooksey, Dawn Warthen, and Heather Warthen.

IN THE MATTER OF COURTHOUSE USE REQUEST

Kevin Cavanaugh reported the Danville Town Council is requesting use of the Courthouse for a small reception following the swearing in ceremony for newly elected Council members, Nancy Leavitt and David Winters, on December 31, 2019 at 9:30 AM and recommended approval and waiving the normal application process and any accompanying fees.

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

IN THE MATTER OF WABASH VALLERY POWER SUBSTATION

Kevin Cavanaugh reported the construction of the roadway has been halted for the winter and will resume in the spring when asphalt is more readily available.

IN THE MATTER OF THE FAIRGROUNDS PROPERTY

Kevin Cavanaugh reported the Building Facilities Corporation approved the easement request from Hendricks Power on November 27, 2019 and advised another easement request is anticipated to be presented from Endeavor

Communications for the placement of a small fiber communications structure at the southwest corner of the Fairgrounds property. Kevin Cavanaugh stated the easement will be approximately twenty (20) feet by twenty (20) feet and the structure will be approximately ten (10) feet by twelve (12) feet.

Commissioner Palmer requested the proposed exterior appearance of the structure be presented to the Commissioners before the matter is taken to the Building Facilities Corporation for consideration and inquired if Steve Patterson was aware of the anticipated request.

Kevin Cavanaugh advised Steve Patterson is aware and stated he would obtain exterior photos to present.

IN THE MATTER OF NEW JAIL AND SHERIFF'S OFFICE

Kevin Cavanaugh reported the next step for the new Jail and Sheriff's Office is to create and advertise a Request for Proposals (RFP) to select a Construction Manager as Constructor (CMc) and to form an evaluation committee to analyze the incoming proposals and requested permission to proceed with creating and advertising the RFP and requested formation of the evaluation committee.

Commissioner Gentry moved to proceed with the RFP as requested and moved for Commissioner Palmer, Kevin Cavanaugh, and Sheriff Brett Clark to serve as the formal Evaluation Committee for selection of the CMc. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.

Greg Steuerwald left the Meeting at 10:30 AM.

IN THE MATTER OF COMMENTS FROM THE FLOOR

Eric Ivie presented the Phase 1 W.S. Gibbs Memorial Park Concept Plan that Ryan Lemley had emailed to the Commissioners on December 6, 2019. Construction is anticipated to begin in 2020.

IN THE MATTER OF COMMISSIONERS

Commissioner Gentry referenced an October 26, 2019 letter from Harold Vangundy requesting the Commissioners provide the Highway Department with a map of all County roadways and the dimensions of their associated right-of-way.

John Ayers advised the Highway Department already has access to this information and are aware of what areas are the County's right-of-way.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the Engineering Department Report of December 10, 2019 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of December 10, 2019 from Kevin Cavanaugh.
3. Receipt was acknowledged for the I.T. Department Report of December 10, 2019 from Doug Morris.
4. Receipt was acknowledged for the Human Resources Report of November 25, 2019 through December 6, 2019 from Erin Hughes.
5. Receipt was acknowledged for the Highway Department Report of November 18, 2019 through November 22, 2019 and November 25, 2019 through November 27, 2019 from Curt Higginbotham.
6. Receipt was acknowledged for the County Treasurer's Monthly Report for the month ending November 30, 2019 from Shawn Shelley.
7. Receipt was acknowledged for the Animal Control & Shelter Report of November 2019 from LaDonna Hughes.
8. Receipt was acknowledged for the Emergency Management Report of November 8, 2019 through December 9, 2019 from Sean Horan.
9. Receipt was acknowledged for the Parks & Recreation Department Report of December 6, 2019 from Ryan Lemley.

CORRESPONDENCE RECEIVED

1. Minutes and Meeting Agenda from Cummins Behavioral Health Systems, Inc. Board of Directors.
 2. Low Cost Spay Neuter Clinic Hendricks County Statistic Report for November 1 to November 30, 2019.
 3. Letter from State of Indiana Weights & Measures Division.
 4. Letter from Town of Plainfield regarding public information meeting about the Town's Corridor Study.
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IN THE MATTER OF ADJOURNMENT

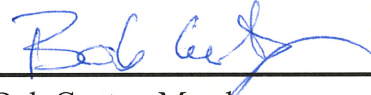
Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:36 AM on Tuesday, December 10, 2019. Commissioner Palmer seconded the motion and the motion was approved unanimously 2-0-0.



Phyllis A. Palmer, President



Matthew D. Whetstone, Vice President



Bob Gentry, Member