



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE DECEMBER 22, 2020 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, December 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
Mila M. Shaffer	Administration and Public Affairs (Attended Remotely)
Greg Steuerwald	Attorney
Nancy Marsh	Auditor
Dave Wyeth	Councilman, President
Brett Clark	Sheriff (Attended Remotely)
John Ayers	Engineer
Erin Hughes	Human Resources Administrator
Doug Morris	I.T. Director
Kevin Cavanaugh	Facilities Manager
Steve Carroll	Government Center Security Deputy
Jeff Corder	Public Health Preparedness Coordinator
Krista Click	Environmental Health Director
Kandi Jamison	Nursing Health Director
Tiffany Dalton	Chief Deputy Surveyor
Dirk Leonard	Drainage Inspector
Nicole Lawson	Assessor (Attended Remotely)
Megan Smith	Human Resources Assistant (Attended Remotely)
Ryan Lemley	Parks and Recreation Superintendent
Dave Gaston	Surveyor (Attended Remotely)
Curt Higginbotham	Highway Department Supervisor (Attended Remotely)
Roger Call	Chief Deputy Sheriff (Attended Remotely)
Shawn Shelley	Treasurer (Attended Remotely)
Theresa Lynch	Recorder (Attended Remotely)
Joe Percy	Highway Department Assistant Superintendent (Attended Remotely)
Gary Sowers	Financial Admin./Drainage Board Coordinator (Attended Remotely)

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

Commissioner Palmer opened the Meeting at 9:03 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 December 8, 2020 Commissioners' Meeting as amended. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Payroll Check Number 110515, Direct Deposit Check Numbers 200749 through 201757, and Budgetary Claims presented from the Auditor's Office for the period beginning December

10, 2020 and ending December 23, 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 thanked Commissioner Whetstone for his service to Hendricks County and provided a brief update on the COVID-19 pandemic in Hendricks County reporting the County's 7-day positivity rate decreased to 13.3%. Dr. Stopperich reported hospital capacity is a concern but staff shortages continue to be the biggest concern. Dr. Stopperich expressed the importance of staying home if you have the littlest cold or sinus symptom and urged employees to comply. Commissioner Palmer concurred. Vaccines are being administered and side effects appear to be very mild so far.

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

Commissioner Whetstone moved to leave the Policy as is until further notice. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TEMPORARY WORK FROM HOME POLICY

Todd McCormack presented the proposed Temporary Work from Home Policy and Work from Home Agreement and requested approval.

The Commissioners thanked Todd McCormack for his prompt attention and creation of the Policy and Agreement. Commissioner Gentry moved to approve the Policy and Agreement pending counsel approval. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

David Gaston thanked Todd McCormack for all of his work and patience and the Commissioners for approving it as it is needed. David Gaston reported he and his Chief Deputy were both out of the office with COVID and being able to continue to operate his office is crucial.

Kevin Cavanagh inquired when the Policy and Agreement would be distributed. Todd McCormack advised if the labor law attorney reviews and approves the documents today, he would distribute them to Department Heads/Elected Officials after receiving the approval.

Dirk Leonard inquired if the Commissioners had considered closing the Government Center to the public. Commissioner Palmer advised it has been discussed and stated most of the positive cases are coming from outside the building and not from conducting business. Dirk Leonard agreed positive cases are coming from outside the workplace and are being spread to coworkers or causing coworkers to be quarantined for direct contact. Dirk Leonard expressed his frustration and concern as an employee and stated things are getting worse. Dirk Leonard stated several weeks of early voting were held inside the building and there was/is no screening process in place for the public or for employees, no one was/is coming around sanitizing hard surfaces (door handles, stair railings, etc.), and the public and employees are bringing COVID into the building, spreading it amongst employees who are then taking it home to their family members, and thinks closing to the public needs to be strongly considered. Commissioner Palmer advised she stays in close contact with Dr. Stopperich to monitor the situation, stated only a couple of surrounding counties are closed to the public, and thanked him for his concern.

IN THE MATTER OF AMENDED LEADERSHIP HENDRICKS COUNTY LEASE AGREEMENT

Greg Steuerwald presented the amended Leadership Hendricks County Lease Agreement and requested approval.

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

IN THE MATTER OF PUBLIC HEARING FOR PROPOSED OFF ROAD VEHICLE ORDINANCE

Commissioner Whetstone presented the proposed Off Road Vehicle Ordinance to allow certain off road vehicles on County right-of-ways, in specific townships, under certain conditions and restrictions and requested approval.

Commissioner Palmer opened the Public Hearing for the matter at 9:38 AM. There were no remonstrators present, or attending remotely, and Commissioner Palmer closed the Public Hearing at 9:40 AM.

Commissioner Whetstone moved to approve the Ordinance as presented. Commissioner Gentry seconded the motion and the motion. Commissioner Palmer objected to where use would be allowed due to heavy traffic in certain areas of Center and Washington Township (east of State Road 39) and believes it to be a big liability risk and concern. The matter was approved by majority 2-1-0. Nancy Marsh assigned Ordinance No. 2020-52.

IN THE MATTER OF CASA PROGRAM VOLUNTEER COORDINATOR PROFESSIONAL SERVICES CONTRACT

Todd McCormack reported Catherine Haines requested the matter be tabled until the January 12, 2021 Commissioners' Meeting.

Commissioner Gentry moved to table the matter as requested. Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF 2021 APPOINTMENTS

Commissioner Whetstone moved to appoint the following to serve as Commissioners' Appointments:

BOARD/COMMISSION	APPOINTEE	TERM EXPIRES
Cypress Manor Director	James McBryant	December 31, 2024
Citizens Water Service Advisory Board	Jim Mardis	December 31, 2021
Cypress Manor Facility Resident Committee	Dr. David Stopperich	December 31, 2021
Property Tax Assessment Board of Appeals	Robert Cheek	December 31, 2021
Tourism Commission	Julie Callis	December 31, 2021
Tourism Commission	Brandy Dixon-Turner	December 31, 2022
Tourism Commission	Jennifer Smith	December 31, 2021
Tourism Commission	Marsha Stone	December 31, 2022
Tourism Commission	Lew White	December 31, 2021
Weather Closings for County Buildings	John Ayers	December 31, 2021
Weather Closings for County Buildings	Sheriff Brett Clark	December 31, 2021
Weather Closings for County Buildings	Curt Higginbotham	December 31, 2021
Weather Closings for County Buildings	Dawn Mason	December 31, 2021

Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Commissioner Gentry moved to appoint the following to serve as Commissioners' Appointments:

BOARD/COMMISSION/COMMITTEE	APPOINTEE	TERM EXPIRES
Capital Improvement Board	Brenda Myers	December 31, 2021
Community Corrections Advisory Board	Susan Bentley	December 31, 2024
Danville Economic Development Commission	Ben Comer	December 31, 2021
Downtown Danville Partnership	Tim Dombrosky	December 31, 2021
Downtown Danville Partnership	Kevin Cavanaugh	December 31, 2021
Drainage Board	Jack Maloney	December 31, 2023
Health Board	David Hardin	December 31, 2024
Hoosier Heartland Resource & Dev. Council	David Wyeth	December 31, 2021
IRTC – Policy Alternate	Tim Dombrosky	December 31, 2021
IRTC – Technical	John Ayers	December 31, 2021
Public Defender Board	Todd McCormack	December 31, 2023
Purdue Extension Advisory Council	Kris Brock	December 31, 2021
Purdue Extension Advisory Council	Pat Wynne	December 31, 2021

Recognition Committee	John Ayers	December 31, 2021
Recognition Committee	Erin Hughes	December 31, 2021
Recognition Committee	Todd McCormack	December 31, 2021
Recognition Committee	Nancy Marsh	December 31, 2021
Redevelopment Commission	Max Hank	December 31, 2021
Redevelopment Commission	John Leitzman	December 31, 2021
Redevelopment Commission	Isaac Lewis	December 31, 2021

Commissioner Whetstone seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF TIF GRANT REQUESTS

Nancy Marsh reported she and the Redevelopment Commission have received a few TIF grant requests for any remaining funds from the Heartland Crossing TIF and requested guidance on how to proceed.

There was discussion amongst the Commissioners, Nancy Marsh, John Ayers, Greg Steuerwald, and Bruce Donaldson (representative from Barnes & Thornburg) on the matter and what the County possibly could or could not do and how the process should be handled.

It was the consensus of the Commissioners to table the matter to research further.

IN THE MATTER OF AMENDMENT #1 TO ISDH GRANT FOR COVID-19 VACCINE CLINIC

Krista Click presented Amendment #1 to the ISDH Grant in the amount of \$120,960.00 to establish a COVID-19 Vaccine Clinic at the Fairgrounds and requested approval. Krista Click reported the funds will be used to hire a temporary agency that will provide staff to administer the vaccine and operate the Clinic.

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

There was discussion amongst the Commissioners, Krista Click, Kandi Jamison, Greg Steuerwald, and John Parmley regarding the matter and the concern of what extent the County would or could be liable for the vaccines, their administration, and any side effects. John Parmley advised he has reached out to the State for clarification and will update the Commissioners once he knows more as the agreement does not address the liability issue. Commissioner Palmer stated the Commissioners may need to amend the terms in the Amendment if the County is liable for improper storage, use, etc. of the vaccine.

IN THE MATTER OF RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH THE TOWN OF DANVILLE

Kevin Cavanaugh presented the Resolution Approving an Interlocal Agreement with the Town of Danville recognizing the Interlocal Agreement approved at the December 8, 2020 Commissioners' Meeting and requested approval. Kevin Cavanaugh stated the Town requested the Resolution after the Commissioners already approved the Agreement.

Commissioner Gentry moved to approve the Resolution as presented. Commissioner Whetstone seconded the Agreement and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Resolution No. 2020-51.

IN THE MATTER OF ELECTED OFFICIALS

Sheriff Clark inquired what would happen to any unused Public Health Pandemic (PHP) hours used to cover COVID-19 related absences.

Todd McCormack reported many Department Heads, Elected Officials, and employees have reached out to him requesting the County allow unused hours to roll over into 2021 instead of expiring on December 31, 2020. Todd McCormack advised it makes sense to allow unused hours to roll over, especially since we are requesting employees stay home if they are experiencing any symptoms.

Commissioner Whetstone moved to approve rolling over any unused PHP hours into 2021 for employees who have not used it and stated employees who have used it will need to use PTO, unless Congress decides otherwise. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

Sheriff Clark inquired how notification for the new Off Road Vehicle Ordinance would be sent out.

Mila Shaffer advised the Ordinance will be published in The Republican and posted on the County website.

Nicole Lawson wished everyone a merry Christmas and thanked Commissioner Whetstone for all he has done for the County.

Shawn Shelley wished everyone a merry Christmas and thanked Commissioner Whetstone for all his years of service to the County.

Nancy Marsh reported she received a CARES Act reimbursement request for the Northwest Hendricks School Corporation bus service vendor, Edwards Transportation, for the additional supplies, equipment, and payroll to properly sanitize the busses and requested guidance on how to proceed.

It was the consensus of the Commissioners to have a policy created on who can and cannot receive reimbursement and/or establish a maximum reimbursement amount that can be requested to establish some guidelines.

David Gaston thanked Commissioner Whetstone for everything he has done for the County, wished everyone a merry Christmas, and advised all to do their best to stay away from COVID-19.

IN THE MATTER OF REQUEST TO PURCHASE NEW GRADALL

John Ayers requested permission to purchase a new Gradall for the Highway Department from a QPA vendor for \$444,752.00. The purchase is included in their 2021 Budget.

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

IN THE MATTER OF RONALD REAGAN PARKWAY RIGHT-OF-WAY ACQUISITION

John Ayers reported three properties needed for expansion of the Ronald Reagan Parkway north of 1000 North are still in negotiations and requested guidance on whether to proceed with eminent domain or not for the acquisition, since this phase isn't as far along in development as the phase from 600 North to 1000 North.

There was discussion amongst the Commissioners and John Ayers and it was the consensus to hold off a few more weeks to allow time to discuss the matter with Boone County. The Commissioners agreed ground for the Parkway will not get any cheaper.

Commissioner Whetstone inquired the status of the request for payment to Hession by the end of the year.

Greg Steuerwald advised it is being worked on and inquired if the funds had been appropriated and what would be needed to submit the claim for reimbursement. Nancy Marsh stated the funds were in EDIT and she would need a signed claim voucher to issue payment.

Commissioner Whetstone moved to approve paying the \$800,000.00 claim for Hession and for John Ayers to sign the claim voucher if Council can reach the settlement. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF RELEASE OF INFORMATION FOR COVID-19 POSITIVE EMPLOYEES

Todd McCormack reported he has received several inquiries as to why employees advised to quarantine could not be told who the COVID-19 positive employee was they had come in contact with. Todd McCormack advised

contact tracing through information provided by the positive employee helps in identifying who may need to quarantine, however, the positive employee's recall may not be perfect and/or the employee may simply not remember who they were in contact with or for how long. Todd McCormack stated some employees may want to challenge or dispute the direct contact and advised it is very impractical not to be able to disclose the positive employee as not disclosing them may result in unnecessary quarantines.

Todd McCormack stated he discussed the issue with Erin Hughes and believes this could be done if the positive employee would voluntarily agree to the release of information and suggested it be done informally on documentation in the employee file and/or by written release. Erin Hughes spoke with the labor law attorney and he agreed. Todd McCormack advised he is hoping most employees will agree to the release and this may help greatly speed up response to incidences of direct contact exposure.

Nancy Marsh reported she was recently notified she was in direct contact with a positive employee and disputed having to quarantine as she did not believe she spent fifteen minutes with the employee and expressed why it is important employees know who they were in direct contact with.

Commissioner Palmer thanked Todd McCormack for all he has done with all the COVID-19 related matters he has been bombarded with.

IN THE MATTER OF CYPRESS MANOR DIRECTOR'S CELL PHONE

Doug Morris reported James McBryant, Cypress Manor Director, contacted him wanting to have his cell phone replaced with a new model. Doug Morris wanted to make sure the Commissioners were aware the County is still providing the cell phone and that Hendricks Regional Health (HRH) has not provided James McBryant with one yet and requested guidance on how to proceed.

It was the consensus of the Commissioners to provide the Director with a cell phone until HRH provides one.

IN THE MATTER OF COMMENTS FROM THE FLOOR

Todd McCormack, David Gaston, Mila Shaffer, John Ayers, Kevin Cavanaugh, and Doug Morris thanked Commissioner Whetstone for his service to the County and expressed how they appreciated all he has done and how they enjoyed working with him.

IN THE MATTER OF COMMISSIONERS

Commissioner Palmer thanked Erin Hughes for her help in putting together the Commissioners' Meeting Packets. Erin Hughes stated Mila Shaffer left great notes on how to complete them.

Commissioner Whetstone requested the work on a possible noise/nuisance ordinance continue.

Commissioner Whetstone requested the Economic Development TIF's with Sunbeam continue to progress with the agreed upon terms.

Commissioner Palmer advised Greg Steuerwald would be swearing her in to serve another term as Commissioner and swearing Nancy Marsh in to serve another term as Auditor. Greg Steuerwald proceeded to swear Phyllis Palmer in as Commissioner representing District 3 and Nancy Marsh as Auditor.

Dennis Dawes commended Commissioner Whetstone for all he has done in his short career and stated Commissioner Whetstone has left very large shoes for him to fill as incoming Commissioner.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

CHECKS RECEIVED

- | | | |
|---------------------|--------------------------|---------------|
| 1. \$720.00 Per Lot | M/I Homes of Indiana, LP | Multiple Lots |
|---------------------|--------------------------|---------------|

TITLES ENDORSED

2. 2017 Dodge Charger VIN: 2C3CDXKT1HH567265 Sheriff's Department Total Loss

STAFF REPORTS RECEIVED

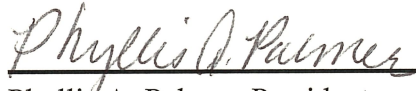
1. Receipt was acknowledged for the Engineering Department Report of December 22, 2020 from John Ayers.
2. Receipt was acknowledged for the Facilities Dept. Report of December 22, 2020 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of December 22, 2020 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of December 22, 2020 from Doug Morris.
5. Receipt was acknowledged for the HR Report of December 5, 2020 – December 18, 2020 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of November 30, 2020 – December 4, 2020 and December 7, 2020 – December 11, 2020 from Curt Higginbotham.
7. Receipt was acknowledged for the Emergency Management Report of December 4, 2020 – December 16, 2020 from Dawn Mason.
8. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period of November 1, 2020 through November 30, 2020 from Tim Dombrosky.
9. Receipt was acknowledged for the Parks & Recreation Report of December 18, 2020 from Ryan Lemley.

CORRESPONDENCE RECEIVED

1. Notice of Claim from Ken Nunn Law Office, representing Edward E. Shriner

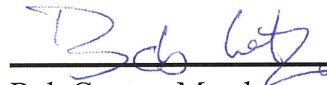
IN THE MATTER OF ADJOURNMENT

Commissioner Whetstone moved to adjourn the Hendricks County Commissioners' Meeting at 11:17 AM on Tuesday, December 22, 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