



HENDRICKS COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE SEPTEMBER 28, 2021 MEETING

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, September 28, 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
Nicole Lawson	Assessor
Kim Galloway	Assistant Engineer
Kevin Cavanaugh	Facilities Manager
Doug Morris	I.T. Director
Erin Hughes	Human Resources Administrator
Tim Dombrosky	Planning & Building Director
Tonya Cottrell	Building & Floodplain Manager/CRS Coordinator
Dawn Mason	Emergency Management Director
Ryan Lemley	Parks & Recreation Superintendent
Brett Clark	Sheriff (Attended Remotely)
Loren Delp	Prosecutor (Attended Remotely)
Shawn Shelley	Treasurer (Attended Remotely)
Theresa Lynch	Recorder (Attended Remotely)
Catherine Haines	Court Administrator (Attended Remotely)
Susan Bentley	Chief Probation Officer (Attended Remotely)
Dwight Stevenson	Home Detention Coordinator (Attended Remotely)
John Ayers	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)

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

Commissioner Palmer opened the Meeting at 9:02 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison. Greg Steuerwald 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 14, 2021 Commissioners' Meeting as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF CLAIMS

Commissioner Gentry moved to approve Payroll Check Numbers 110526–110527, Direct Deposit Check Numbers 211479-211987, and Budgetary Claims presented from the Auditor's Office for the period beginning

September 16, 2021 and ending September 29, 2021 as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COVID-19 UPDATE

Dr. Stopperich provided a brief update on the COVID-19 pandemic in Hendricks County reporting the County's 7-day positivity rate increased to 12% and advised there have been 22,576 confirmed cases and sadly 364 deaths amongst Hendricks County residents. Dr. Stopperich reported approximately 66.9% of residents are now fully vaccinated, ranking Hendricks County 3rd highest in Indiana, Avon is at 78.5% and Brownsburg is at 76.1%. Dr. Stopperich thanked the Plainfield Police Department and the Plainfield Parks & Recreation Department for their assistance with the drive-thru vaccine clinic at Hummel Park.

Commissioner Palmer and Dr. Stopperich emphasized the importance of the vaccination and for employees to stay at home when they are experiencing any symptoms of illness. Dr. Stopperich presented a graph from the Indiana Department of Health documenting the difference in hospitalization rates of the fully vaccinated versus not fully vaccinated. Dr. Stopperich stated the graphic speaks volumes and the vaccine is saving lives.

IN THE MATTER OF PROPOSED NUISANCE CONTROL ORDINANCE

There was discussion amongst the Commissioners and Greg Steuerwald regarding the final draft of the proposed nuisance control ordinance.

Commissioner Gentry moved to conduct a Public Hearing at 9:00 AM on October 26, 2021 for the proposed ordinance. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BID OPENING FOR ANNUAL TRENDING SERVICES

Commissioner Palmer closed the bids for Annual Trending Services at 9:21 AM. Nicole Lawson opened the only bid received for an amount not to exceed \$642,000.00 for all services during the four (4) year term from Nexus Group. Nicole Lawson requested time to review the bid and bring back a recommendation later in the meeting.

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

Nicole Lawson presented a Prescribed Contract for Annual Adjustments and Cyclical Reassessment from Nexus Group and recommended approval as the lowest responsive and responsible bidder.

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

IN THE MATTER OF PLANNING COMMITTEE FOR COUNTY'S BICENTENNIAL

Patricia Baldwin was not present when the matter initially came up and Commissioner Gentry moved to table the matter until later. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

Patricia Baldwin, representative from Friends of the Hendricks County Historical Museum, reported the County's bicentennial is coming up in 2024 and requested the Commissioners establish an event planning committee that may or may not include a financial portion.

Commissioner Palmer requested Patricia Baldwin email a list of names/groups she feels would be appropriate for such a committee to Mila Shaffer and stated the Commissioners would consider it.

IN THE MATTER OF OPTIMA MASTER SERVICE AGREEMENT FOR YOUTH ASSISTANCE PROGRAM

Catherine Haines presented an Optima Master Service Agreement for \$4,095.00 for the Youth Assistance Program and requested approval. Catherine Haines advised this is the same program currently used by CASA.

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

**IN THE MATTER OF BI INCORPORATED PURCHASE AGREEMENT FOR
SOBERLINK EQUIPMENT**

Dwight Stevenson presented a BI Incorporated Purchase Agreement for \$13,000.00 to replace twenty Soberlink devices and requested approval.

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

**IN THE MATTER OF ZA 484/21: STRATEGIC CAPITAL PARTNERS LLC. AND
ZA 485/21: STRATEGIC CAPITAL PARTNERS LLC.**

Tim Dombrosky presented an ordinance to amend the zoning map of Hendricks County from HB/Highway Business District to PB/Planned Business District, commonly known as ZA 484/21: Strategic Capital Partners LLC., S36-T14N-R1W, Liberty Township, 3 parcels totaling 203.17 acres, located on the southeast corner of State Road 39 and I-70 and an ordinance to amend the zoning map of Hendricks County from HB/Highway Business District to PB/Planned Business District, commonly known as ZA 485/21: Strategic Capital Partners LLC., S36-T14N-R1W, Liberty Township, 1 parcel totaling 138.18 acres, located on the southeast corner of State Road 39 and I-70 and requested approval. Tim Dombrosky reported there were no remonstrators at the September 14, 2021 Plan Commission Public Hearing and stated both amendments were approved unanimously 4-0-0, conditional upon satisfactory approval by INDOT.

There was discussion amongst the Commissioners, Tim Dombrosky, John Ayers, and Brian Tuohy (Attorney for Strategic Capital Partners LLC.) regarding the matter.

Commissioner Gentry moved to table the matter until the October 12, 2021 Meeting to allow more time for them to obtain Engineering's and INDOT's approval. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

**IN THE MATTER OF ICR FENCE ESTIMATE FOR FENCED STORAGE AT
EAST CAMPUS BUILDING**

Kevin Cavanaugh presented an ICR Fence Estimate for \$11,180.00 for indoor fenced storage areas at the East Campus Building and requested approval.

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

IN THE MATTER OF KOORSEN FIRE & SECURITY SERVICE AGREEMENT RENEWAL

Kevin Cavanaugh presented the Koorsen Fire & Security Service Agreement for \$13,550.00 per year for three years for the access control system and requested approval.

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

IN THE MATTER OF ELECTED OFFICIALS

Nancy Marsh reported the independent auditors have begun auditing the County's Federal grants and will begin the regular financial audit September 29, 2021.

Sheriff Clark thanked the Commissioners and Greg Steuerwald for the work on the proposed nuisance control ordinance and advised the steel cells for the inmates will be delivered over the next three weeks for the new Jail.

IN THE MATTER OF ASSOCIATION OF INDIANA COUNTIES AWARD

John Ayers reported Curt Higginbotham received the 2021 Outstanding Highway Superintendent Award from the Association of Indiana Counties on September 22, 2021 and stated it was well deserved.

The Commissioners congratulated Curt Higginbotham. Curt Higginbotham thanked those that nominated him and stated it really is a team effort at the Highway Department and wouldn't be possible without the great staff.

IN THE MATTER OF NEESE DRAINAGE ISSUE

John Ayers reported he received an estimate from CRM Excavating for \$19,327.00 to extend the Neese's drain from its current terminus to the existing structure on County Road 1000 N. and requested approval. John Ayers advised CRM was the contractor for the original drainage project and recommended using them since they are familiar with the area and the project. John Ayers advised the price and proposed layout is subject to confirmation of grades and utility locations.

Commissioner Gentry stated Charles Neese would probably be more comfortable using someone else besides CRM and inquired if John Ayers had discussed using CRM with him. John Ayers advised he told Charles Neese he was planning to use CRM for the work and stated Charles Neese had no comment.

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

IN THE MATTER OF REQUEST TO SEND HIGHWAY DEPARTMENT VEHICLES TO AUCTION

John Ayers requested permission to send the following two dump trucks to auction as they have been replaced: 2006 Sterling Dump Truck VIN 2FZHATDJ96AW60476 and VIN 2FZHATDJ06AW60477.

Commissioner Dawes moved to approve taking the trucks to auction as requested. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF REQUEST TO ORDER VEHICLES FOR HIGHWAY DEPARTMENT

John Ayers requested permission to proceed with ordering two tandem axle dump trucks for the Highway Department to replace two current ones.

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

IN THE MATTER OF REQUEST TO DISPOSE OF PROPERTY AT AUCTION

John Ayers requested permission to dispose of the following surplus property at auction: 3-point hitch auger/post hole differ, two 3-point hitch grade boxes, 3-point hitch grader blade, 3-point hitch pulverizer, side mount snowplow, two backhoe buckets, single axle utility trailer, three Blizzard pickup snowplows, and hydraulic tank. John Ayers stated the equipment is no longer used.

Commissioner Dawes inquired how long the property had been sitting around as it appears pretty aged in the photos. Curt Higginbotham advised it had been sitting around for 10 years or so and not used. Commissioner Dawes recommended surplus property be disposed of in a timelier manner going forward.

Commissioner Gentry moved to declare the property as surplus and for it to be sold at auction as requested. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF NOTICE OF CLAIM FOR ADDITIONAL COSTS

Kevin Cavanaugh presented a letter from Garmong Construction Services and J.C. Ripberger Construction Corp. to serve as official notice of claim for additional costs related to the price of the overhead/coiling doors for the new Jail increasing by \$72,360.00 and advised this notice begins the formal process for the requested increase.

IN THE MATTER OF TERRY/KIRTLEY BOULEVARD

Todd McCormack reported Mark Morgan, Danville Town Manager, advised the Town doesn't seem interested in pursuing a roundabout at the intersection of Main Street and Terry/Kirtley Boulevard, and instead propose more of a temporary solution with some additional markings and extending the median. The Town's proposed

solution has an estimated cost of \$20,000.00, while the cost of a roundabout is estimated to be \$1,500,000.00. Todd McCormack advised HRH has committed to participate in the cost of the project and recommended the County pursue further discussions of the roundabout with the Town Council and/or the Town's Engineer.

There was discussion amongst the Commissioners, Todd McCormack, and John Ayers. John Ayers will discuss the matter further with the Town's Engineer.

IN THE MATTER OF THE COVID POLICY

Todd McCormack reported Nancy Marsh, payroll, and other employees have raised questions about the COVID Policy's quarantine requirements and compensation and recommended the Commissioners reconsider and/or clarify their position/policy on the matter. Todd McCormack advised the Policy is not being followed in all departments and could be due to a lack of clarification and stated the biggest issue seems to be related to the direct exposure quarantine requirements for vaccinated versus unvaccinated and the compensation related to it when it is a confirmed direct exposure that occurs at work. Todd McCormack stated the vaccinated employees have communicated they feel punished for being vaccinated because if the exposure occurs at work, the unvaccinated employee gets paid to quarantine at home while the asymptomatic vaccinated employee has to remain at work, picking up the workload of the unvaccinated employee, and wear a mask until tested 3-5 days after the exposure. Todd McCormack advised vaccinated employees expressed the current Policy incentivizes the unvaccinated to remain unvaccinated and stated some unvaccinated employees have been in quarantine several times and he sees their point. Employees voiced that in their opinion, the Policy is being taken advantage of by some. Todd McCormack stated the County has been incredibly generous with compensation for COVID related matters. Those employed by the County in 2020 received ten days of paid COVID leave (equal to their normal number of scheduled hours) separate from the COVID Policy and were allowed to rollover any remaining hours to 2021. Those that began/begin employment with the County in 2021 did/do not receive these additional paid days.

There was discussion amongst the Commissioners and Todd McCormack and all agreed the Policy needs to be clear, expressed concerns for the possibility of ghost employment in certain situations, and discussed changing the Policy to provide the paid days for confirmed direct exposure that occurs at work to the vaccinated employees only, since the vaccinated would only quarantine if they tested positive 3-5 days after the direct contact. This would incentivize the vaccine, not mandate it, and Commissioner Palmer stated there is proof the vaccine works.

Commissioner Gentry moved to authorize Todd McCormack to amend and clarify the COVID Policy as discussed and to send it out to all employees immediately. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0. An effective date of the changes will be listed for those currently on quarantine.

IN THE MATTER OF NEW COPIERS, PRINTERS, AND LAPTOPS

Doug Morris reported delivery of new copiers, printers, and laptops has been delayed until sometime in 2022.

IN THE MATTER OF COMMENTS FROM THE FLOOR

Diane Hubbard, representative from Congressman Baird's Office, reported she would share the supply shortage issues with the Congressman and thanked the Commissioners for all they do for Hendricks County.

Commissioner Palmer inquired if Congressman Baird planned to reschedule the special recognition for former Secretary of State Connie Lawson. Diane Hubbard advised Congressman Baird was called back to session early and had to cancel for the original date and stated she would reach out to him to discuss rescheduling.

Garen Carnes, resident at 9550 Edgewater Court in Brownsburg, inquired if the Commissioners knew anything about a survey rumored to be going out to the residents in the Lakewood Terrace subdivision about bringing sewer to the area. Commissioner Palmer advised they have not heard of any such survey and stated the Regional Sewer Board has not authorized any surveys to be sent out either. Garen Carnes stated he would try and obtain more information about the survey mentioned to him.

Garen Carnes reported the Town of Brownsburg is pushing to construct distribution centers on the old Clermont Golf Course property and inquired what authority the County has to ensure the known drainage issues will be

addressed and done correctly. Garen Carnes advised there has been a decade of proposed projects on this property turned down due to the drainage. The Commissioners advised the Town is annexing that property and if the water is discharged into County legal drains, the developer will have to meet County guidelines and specifications. Commissioner Gentry requested Garen Carnes contact him directly and he would discuss it with him further.

IN THE MATTER OF COMMISSIONERS

Commissioner Gentry reported Jerry Decker, Coatesville Town Council President, was recognized by Lt. Governor Crouch on September 15, 2021 as a 2021 Golden Hoosier Award recipient.

Commissioner Dawes reported he attended his first Governor's Public Health Commission meeting on September 16, 2021 and advised they will meet the third Thursday of each month for the next year.

Commissioner Dawes reported he will be attending a meeting in Avon next week regarding mask and vaccine mandates and stated he is attending as an individual and not as a Commissioner.

Commissioner Palmer reported she received an email from LaDonna Hughes requesting approval for one of her employees to be out on vacation for two weeks and three days. Commissioner Palmer advised she was a little hesitant to approve it due to that department being short staffed but feels for the employee requesting the time.

There was discussion amongst the Commissioners on the matter.

Kevin Cavanaugh stated he thought the no more than two weeks consecutive PTO policy was developed to not allow employees retiring from the County to burn down their PTO, extending their employment status, instead of taking the payout they may be eligible to receive. Todd McCormack confirmed Kevin Cavanaugh was correct.

It was the consensus of the Commissioners to approve the employee's PTO request as long as they have enough PTO to cover their time off.

Commissioner Palmer advised the evening at AIC was excellent, especially the "AIC's Got Talent" program, and felt everyone left inspired and full of pride for our Country.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

TITLES ENDORSED

1. 2006	Sterling Dump Truck	VIN: 2FZHATDJ96AW60476	Highway Dept.	To be sold
2. 2006	Sterling Dump Truck	VIN: 2FZHATDJ06AW60477	Highway Dept.	To be sold

CHECKS RECEIVED

1. \$720.00 Per Lot	M/I Homes of Indiana, LP	Lot 198, 244, and 254
2. \$351.00	Leadership Hendricks County	Lease of office space

STAFF REPORTS RECEIVED

1. Receipt was acknowledged for the Engineering Department Report of September 28, 2021 from John Ayers.
2. Receipt was acknowledged for the Facilities Department Report of Sept. 28, 2021 from Kevin Cavanaugh.
3. Receipt was acknowledged for the Executive Director's Report of Sept. 28, 2021 from Todd McCormack.
4. Receipt was acknowledged for the I.T. Department Report of September 28, 2021 from Doug Morris.
5. Receipt was acknowledged for the HR Report of September 11, 2021–September 24, 2021 from Erin Hughes.
6. Receipt was acknowledged for the Highway Department Report of August 23, 2021–August 27, 2021, August 30, 2021–September 3, 2021, September 7, 2021–September 10, 2021, and September 13, 2021–September 17, 2021 from Curt Higginbotham.
7. Receipt was acknowledged for the EMA Report of Sept. 13, 2021- Sept. 24, 2021 from Dawn Mason.

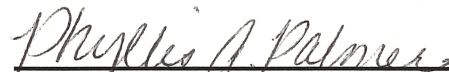
8. Receipt was acknowledged for the Planning and Building Department's Report of Collections for the collections period of August 1, 2021 through August 31, 2021 from Tim Dombrosky.
9. Receipt was acknowledged for the Parks & Recreation Report of September 23, 2021 from Ryan Lemley.

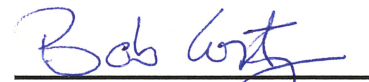
CORRESPONDENCE RECEIVED

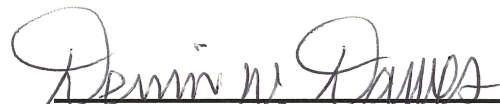
1. Notice of Tort Claim from Marc Lopez Law, representing Jaelin Engle.
 2. Settlement Overview letter from National Opioids Settlements.
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IN THE MATTER OF ADJOURNMENT

Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:57 AM on Tuesday, September 28, 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