



HENDRICKS COUNTY BOARD OF COMMISSIONERS **MINUTES OF THE NOVEMBER 14, 2023 MEETING**

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, November 14, 2023 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
Greg Steuerwald	County Attorney
R. Todd McCormack	Executive Director
Mila M. Shaffer	Administration and Public Affairs
Nancy Marsh	Auditor
Dave Gaston	Surveyor
Scott Larsen	Merit Chief Deputy
John Ayers	Engineer
Kevin Cavanaugh	Facilities Manager
Doug Morris	I.T. Director
Tim Dombrosky	Planning & Building Director
Debbi Fletcher	Emergency Management Director
Erin Hughes	Human Resources Administrator
Catherine Haines	Court Administrator
Nicki Lawson	Assessor (Attended Remotely)
Loren Delp	Prosecutor (Attended Remotely)
Dan Chubb	Chief Deputy Coroner (Attended Remotely)
Krista Click	Health Department Administrator (Attended Remotely)
Kim Galloway	Assistant Engineer (Attended Remotely)
Curt Higginbotham	Highway Department Superintendent (Attended Remotely)
John Gramling	I.T. Application Support Specialist (Attended Remotely)
LaDonna Hughes	Animal Shelter Supervisor (Attended Remotely)

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

Commissioner Palmer opened the Meeting at 9:00 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 October 24, 2023 Commissioners' Meeting and of the October 24, 2023 Commissioners' Executive Session 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 Number 110582, Direct Deposit Check Numbers 240812-241350, and Budgetary Claims presented from the Auditor's Office for the period beginning October 26, 2023 and ending November 15, 2023 as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF UNFINISHED BUSINESS

No matters presented.

**IN THE MATTER OF PUBLIC HEARING FOR ORDINANCE
PROHIBITING PARKING ON KOGER STREET**

John Ayers recommended the Commissioners proceed with the Public Hearing but table any action on the proposed ordinance until a later date due to discussions with the Sheriff regarding parking issues in the area.

Commissioner Palmer opened the Public Hearing for an Ordinance Prohibiting Parking at All Times on Koger Street from State Road 39 to End at 9:03 AM. There were no comments presented and Commissioner Palmer closed the Public Hearing at 9:04 AM.

Commissioner Gentry moved to table action on the proposed ordinance as recommended. Commissioner Dawes seconded the motion and Commissioner Palmer called for comments/questions. Commissioner Gentry stated the Federal government put the County in this bind when they started putting electronic logs in these transportation vehicles without allowing them places to park. The motion was approved unanimously 3-0-0.

IN THE MATTER OF B&O TRAIL ASSOCIATION

Jeff Smallwood, B&O Trail Association, presented a map outlining 4 parcels that they want to swap for the extension of the B&O Trail and requested the Commissioners consent to transfer the conservation easement from the two currently owned parcels to the two parcels they are swapping for; two parcels from master parcel number 32-06-11-300-005.000-018 will be swapped for parcel numbers 32-06-11-370-010.000-018 and 32-06-11-300-007.000-018. Jeff Smallwood advised the B&O Trail purchased the current parcels from the County with the conservation easement on them and stated he contacted DNR and they instructed him to contact the County about removing it from the two and placing it on the other two parcels. Jeff Smallwood stated the conservation easement on the parcels restricts their usage to only trail purposes and was established by CSX through DNR. Jeff Smallwood advised swapping the parcels would allow them to construct parking for the Trail and stated the landowners are in favor of the transaction.

There was discussion amongst the Commissioners, Greg Steuerwald, John Ayers, and Jeff Smallwood regarding the matter. Greg Steuerwald stated the issue is who can remove the easement from the title of each parcel and they may have a CSX issue since that's the entity that established the conservation easement.

Commissioner Dawes moved to approve swapping the conservation easement on the parcels consistent with the layout presented by the B&O Trail Association. Commissioner Palmer seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF INCREASE TO MAGISTRATE'S CREDIT CARD LIMIT

Catherine Haines requested the Magistrate's credit card limit be increased from \$2,000.00 to \$3,000.00.

Commissioner Dawes moved to approve increasing the credit limit to \$3,000.00 as requested. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

**IN THE MATTER OF PROPOSED ORDINANCE TO
REGULATE CHARGES FOR VEHICLE BOOTING**

Commissioner Dawes moved to table this matter until they receive further information from Sheriff Jack Sadler. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Gentry recommended Sheriff Sadler, Todd McCormack, and Greg Steuerwald create the ordinance.

IN THE MATTER OF 2024 COMMISSIONERS' MEETING SCHEDULE

Commissioner Palmer reported Mila Shaffer presented the 2024 Commissioners' Meeting Schedule and noted there will only be one meeting in December of 2024, unless a special meeting is scheduled for an emergency.

Commissioner Gentry moved to approve the 2024 Meeting Schedule as presented. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0. Commissioner Palmer stated the Drainage Board approved the same dates for their 2024 Meeting Schedule.

IN THE MATTER OF ST. VINCENT'S EMPLOYEE ASSISTANCE PROGRAM RENEWAL

Erin Hughes presented the 2024 St. Vincent Hospital and Health Care Center Agreement for Sale of Services for the Employee Assistance Program and requested approval. Erin Hughes advised the rate per employee per month will increase from \$1.40 to \$1.46 and stated 31 people have utilized the Program through September 2023.

Commissioner Palmer stated this is an important Program for the County to offer.

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

IN THE MATTER OF NOTICE TO BIDDERS FOR CORONER'S OFFICE

Kevin Cavanaugh presented the Notice to Bidders for the Coroner's Office Relocation and requested approval. Kevin Cavanaugh advised bids are due by 9:00 AM on January 9, 2024.

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

IN THE MATTER OF TK ELEVATOR AGREEMENT

Kevin Cavanaugh presented the TK Elevator Corporation Platinum Service Agreement for \$3,009.48 annually for the new Jail 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 WORK RELEASE FACILITY MODULAR EXPANSION PROJECT

Kevin Cavanaugh presented the Addendum to Public Private Agreement and Approval of GMP Report for the Hendricks County Work Release Modular Expansion Project and requested approval.

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

IN THE MATTER OF BRIDGE NO. 39

John Ayers presented a Resolution and Interlocal Cooperation Agreement with the City of Indianapolis for Bridge No. 39 and recommended approval.

Commissioner Gentry moved to approve the Resolution and the Interlocal Agreement for Bridge No. 39 as recommended. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Resolution No. 2023-41.

IN THE MATTER OF BRIDGE NO. 88

John Ayers presented the Title Sheet for Bridge No. 88 to be signed by the Commissioners and the Auditor.

IN THE MATTER OF BRIDGE NO. 237

John Ayers presented the Title Sheet for Bridge No. 237 to be signed by the Commissioners and the Auditor and recommended Butler Fairman and Seufert for the construction inspection of the project.

Commissioner Gentry moved to approve Butler Fairman and Seufert for the construction inspection as recommended. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF BRIDGE NO. 290

John Ayers recommended American Structurepoint for the construction inspection of Bridge No. 290.

Commissioner Gentry moved to approve American Structurepoint for the construction inspection as recommended. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF COMMENTS FROM THE FLOOR

Kristen Carson, resident of 1222 Summer Ridge Lane in Brownsburg and member of Indiana First Audit, presented excerpts from online articles and her election integrity wish list regarding election security and expressed her concerns about the security of e-polling elections versus paper ballot elections and requested the Commissioners consider going back to paper ballots and eliminate vote centers.

The Commissioners thanked Kristen Carson for the information and for taking the time to present it to them and suggested she contact the County Clerk because she is in charge of County elections. Commissioner Palmer stated vote centers were created as a way to promote voting and allow more individuals the opportunity to vote because they're not restricted to voting at their single precinct. Commissioner Gentry stated the biggest issue he sees is voter participation.

IN THE MATTER OF ELECTED OFFICIALS

No matters presented.

IN THE MATTER OF CR 300 S./AVON AVENUE INTERLOCAL AGREEMENT WITH THE TOWN OF PLAINFIELD

John Ayers reported the Council's attorney made amendments to the CR 300 S./Avon Avenue Interlocal Agreement with the Town of Plainfield signed at the October 24, 2023 Commissioners' Meeting and presented the amended Agreement and a Resolution and recommended approval.

Commissioner Gentry moved to approve the amended Agreement and the Resolution as recommended. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0. Nancy Marsh assigned Resolution No. 2023-42.

IN THE MATTER OF OLD JAIL RETIREMENT PROCESS

Kevin Cavanaugh reported removal of auctioned items from the old Jail is complete, advised the auction was a success, and presented the Commissioners with a check for \$53,267.75; gross sales were \$90,335.00 and fees/commissions totaled \$37,067.25.

Kevin Cavanaugh requested he be allowed to hire a consultant to create the plan specifics to fully retire and demolish the old Jail as it is beyond his level of experience and is not comfortable doing it.

There was discussion amongst the Commissioners, Greg Steuerwald, and Kevin Cavanaugh regarding the matter. Greg Steuerwald advised there are a surprising number of easements on the parcel. Commissioner Gentry stated he disagrees with hiring a consultant and wants to see various proposals before selecting one.

It was the consensus of the Commissioners to look at some proposals.

IN THE MATTER OF NEW HIGHWAY DEPARTMENT FACILITY

Kevin Cavanaugh recommended the County contract with Garmong for Construction Manager as Agent for the new Highway Department Facility and possibly other future projects.

There was discussion amongst the Commissioners, Kevin Cavanaugh, John Ayers, and Dan Zuerner of Garmong regarding the matter.

It was the consensus of the Commissioners to move forward with creating a proposal for consideration.

IN THE MATTER OF ENDPOINT PROTECTION

Doug Morris reported the County has been selected by the State of Indiana Office of Technology to be the pilot county for their new endpoint protection software being funded by the Federal Infrastructure Act. Doug Morris advised what's being proposed is the same software the County currently has and will present more information once he receives it.

IN THE MATTER OF COMMISSIONERS

Commissioner Dawes reported he sat in on the HRH Wellness Review and advised it was an excellent report with a lot of progress being made.

Commissioner Dawes reported that since the County terminated the emergency services agreement with Morgan County, Liberty Township has been making good progress towards providing full time services.

Commissioner Dawes thanked Kristen Carson for the information she presented and stated that we need to somehow get more people to go out and vote.

Commissioner Palmer reported she received a letter from Reann Poray, Manager of the Historic Room at the Plainfield Public Library Historic Room thanking the County for all we do to digitize records.

Commissioner Palmer wished everyone a blessed Thanksgiving.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

CHECKS RECEIVED

1. \$5,400.00	Freije & Freije Auctioneers	Auction Proceeds from Sale of Vehicle
2. \$53,267.75	Freije & Freije Auctioneers	Auction Proceeds from Old Jail Liquidation

STAFF REPORTS RECEIVED

1. Receipt acknowledged for the Engineering Department Report of November 14, 2023 from John Ayers.
2. Receipt acknowledged for the Facilities Department Report of November 14, 2023 from Kevin Cavanaugh.
3. Receipt acknowledged for the Executive Director's Report of November 14, 2023 from Todd McCormack.
4. Receipt acknowledged for the I.T. Department Report of November 14, 2023 from Doug Morris.
5. Receipt acknowledged for the Highway Department Report of October 9, 2023-October 13, 2023, October 16, 2023-October 20, 2023, and October 22, 2023-October 27, 2023 from Curt Higginbotham.
6. Receipt acknowledged for the EMA Report of October 21, 2023-November 3, 2023 from Debbi Fletcher.
7. Receipt acknowledged for the Parks & Recreation Report of November 3, 2023 from Ryan Lemley.

CORRESPONDENCE RECEIVED

1. Notice of Tort Claim from Ken Nunn Law Office representing Jamon and Choice Kimbrough.
2. Notice of Tort Claim from Ken Nunn Law Office representing Cody M. Wood and Amanda Simpson, individually and as parents and natural guardians of minors Reagan Wood, Wrion Wood, Waylon Simpson, Karleigh Simpson, and Jonah Simpson.
3. Notice of Tort Claim from Ken Nunn Law Office representing Anastacia G. and Ricardo Miranda.
4. Notice of Tort Claim from Keller & Keller representing Denton Richards.
5. Notice of Tort Claim from Yosha Law representing Joe and Montrea Kite.
6. Summons, Complaint for Damages, and Request for Jury Trial from Stewart & Stewart representing Merl T. Brown.
7. Summons, Complaint for Damages, and Request for Jury Trial from Habig Injury Law representing Tabitha Hardy.

8. Notice of Public Hearing by the Brownsburg Board of Zoning Appeals for BZDV-23-22 through -24 and -26 through -30 from Woolpert.
9. Notice of Public Hearing by the Hendricks County Area Plan Commissioner for 5920 N. County Road 901 E. in Brownsburg from Benchmark Consulting.

IN THE MATTER OF ADJOURNMENT

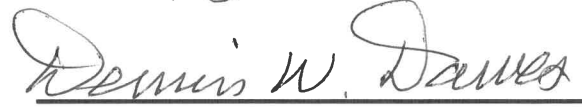
Commissioner Gentry moved to adjourn the Hendricks County Commissioners' Meeting at 10:27 AM on Tuesday, November 14, 2023. Commissioner Dawes seconded the motion and the motion was approved unanimously 3-0-0.



Phyllis/A. Palmer, President



Bob Gentry, Vice President



Dennis W. Dawes, Member