



HENDRICKS COUNTY BOARD OF COMMISSIONERS **MINUTES OF THE APRIL 23, 2024 MEETING**

The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, April 23, 2024 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
Nancy Marsh	Auditor
John Ayers	Engineer
Dave Wyeth	Councilman
Jack Sadler	Sheriff
Nicole Lawson	Assessor
Laura Herzog	Recorder
Tiffany Dalton	Chief Deputy Surveyor
Dan Chubb	Chief Deputy Coroner
Doug Morris	I.T. Director
Curt Higginbotham	Highway Department Superintendent
Erin Hughes	Human Resources Administrator
Tim Dombrosky	Planning & Building Director
Mark Chmielewski	Government Center Security Deputy
Paul Weddle	Interim Facilities Manager
Stephanie Moore	Deputy Coroner
Jeff Corder	Public Health Preparedness Coordinator
Ryan Lemley	Parks & Recreation Superintendent
Catherine Haines	Court Administrator (Attended Remotely)
Karen Boals	Chief Deputy Recorder (Attended Remotely)
Rhonda Elliott	Jail Matron (Attended Remotely)
Kim Galloway	Assistant Engineer (Attended Remotely)
Terry Benton	Highway Department Office Manager (Attended Remotely)
Paula Alkire	Financial Administrator (Attended Remotely)
LaDonna Hughes	Animal Shelter Supervisor (Attended Remotely)
John Gramling	Application Support Specialist (Attended Remotely)
Ann Stark	Payroll Deputy (Attended Remotely)
Brynn Butler	Grant Assistant (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. Commissioner Dawes gave a brief prayer for those who wished to participate.

IN THE MATTER OF DEPUTY FRED FISLAR

Commissioner Palmer took a moment to remember fallen officer, Deputy Fred Fislar, and asked that he and the department remain in everyone's prayers. Commissioner Palmer stated there was also a house fatal house fire on Cartersburg Road and wanted the public servants to know that they care about them and support them.

Commissioner Palmer inquired if Sheriff Sadler had anything he would like to say. Sheriff Sadler stated it had been a stressful week on everyone and expressed his appreciation of the outpouring support from the community. Commissioner Palmer stated the Commissioners appreciate the men and women that put that uniform on everyday not knowing what the day is going to bring to them and their families and they keep them all in their prayers.

IN THE MATTER OF MINUTES

Commissioner Gentry moved to approve the Minutes of the April 9, 2024 Commissioners’ Meeting and of the April 12, 2024 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 Direct Deposit Numbers 247455-248005 and Budgetary Claims presented from the Auditor’s Office for the period beginning April 11, 2024 and ending April 24, 2024 pending review. 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 TZA 01/24: ORDINANCE BANNING COMMERCIAL WIND FARMS

Tim Dombrosky presented Ordinance No. 2024-16, an Amendment to the Hendricks County Zoning Ordinance by Amending Chapter 4 Zoning Districts, Chapter 14 Overlay Districts, and Chapter 15 Definitions to ban commercial wind farms in Hendricks County. Tim Dombrosky reported the Plan Commission voted favorably to recommend approval of the amended Ordinance, 5-0, at their April 9, 2024 Public Hearing.

Commissioner Gentry moved to approve the Ordinance as recommended. Commissioner Dawes seconded the motion and Commissioner Palmer called for comments/questions. There was discussion amongst the Commissioners and Tim Dombrosky regarding the wording of the Ordinance. Tim Dombrosky stated the amendments were to delete the language from the Ordinance that allowed commercial wind farms. The motion was approved unanimously 3-0-0.

IN THE MATTER OF BID OPENING FOR ANIMAL SHELTER STORAGE BUILDING

Commissioner Palmer closed the bids for the Animal Shelter Storage Building at 9:07 AM. Paul Weddle opened and read the following bids:

CONTRACTOR	BID AMOUNT
Gillatte General Contractors	\$613,000.00
Monroe Construction	\$602,704.00
R. Chavez Construction Company	\$626,500.00
SCS Construction Services	\$624,000.00

Paul Weddle advised the bids would be reviewed and a recommendation presented at a later date.

**IN THE MATTER OF BID OPENING FOR 2024-1 COMMUNITY CROSSINGS
GRANT FUNDED RESURFACING PROJECT**

Commissioner Palmer closed the bids for the 2024-1 Community Crossings Grant Funded Resurfacing Project at 9:11 AM. John Ayers opened and read the following bids:

CONTRACTOR	BID AMOUNT
E & B Paving	\$3,398,196.00
Howard Companies	\$3,403,096.00
Milestone Contractors	\$2,916,332.00

John Ayers advised the bids would be reviewed and a recommendation presented at a later date.

IN THE MATTER OF ORDINANCE NO. 2021-51 FOR ARP FUNDS

Megan Allen, Manager of Danville Florist, read a statement to the Commissioners inquiring why the Commissioners did not award any ARP funds to small businesses, why funds were given to not-for-profits not based in Hendricks County, and why funds were given to not-for-profits that were not founded until 2022.

There was discussion amongst the Commissioners, Nancy Marsh, John Ayers, and Megan Allen regarding the matter. Commissioner Palmer stated Megan Allen made some very good points and advised she too questioned some of the not-for-profits and was told they were eligible because they serviced residents of Hendricks County. Commissioner Dawes stated it was not the County's intent to exclude small businesses and that the underlying intent was to use the money with as many services in Hendricks County as possible and there may have been things that were omissions but that nothing was done purposely. Megan Allen stated all small businesses in Hendricks County were overlooked and not given the opportunity to apply for ARP funds. Commissioner Palmer advised Commissioner Dawes serves on the County's ARP Funding Committee and to her knowledge, no requests for funds were received from small businesses. Megan Allen stated there was no application for small businesses and no notification advertised or sent out to them letting them know they could apply for ARP funds. Commissioner Gentry stated he respectfully disagreed with some of the funding given to the not-for-profits and believes leaving small businesses out was an error of omissions and not an intentional act. Megan Allen stated if that's the case, then why not allow small businesses apply for the \$8.9 million remaining ARP funds as last reported in the Minutes. Nancy Marsh stated all funds have been allocated and advised approximately \$67,000.00 had been over committed and would need to be paid from the interest earned. Megan Allen asked the Commissioners to think about how they overlooked allocating ARP funds to local small businesses the next time they shop in a small business.

Commissioner Palmer thanked Megan Allen for her time and comments.

IN THE MATTER OF CORONER'S GENERATOR AND ADDITIONAL EXPENSES

Paul Weddle and Dan Zuerner (Garmon Consulting) presented several change orders for the new Coroner's Office, including the option requested by Dan Chubb of upgrading the generator to one that would run the entire office, instead of the one specified in the bid documents. Dan Zuerner stated all the smaller requests would be covered under the remaining contingency set aside, leaving approximately \$22,000.00 in the contingency. Dan Zuerner stated the generator Dan Chubb is requesting costs approximately \$77,000.00 total for it and the installation, \$55,000.00 over the remaining contingency amount. Dan Zuerner pointed out the County is making an investment in a building they do not own. Dan Zuerner advised staying with the generator specified in the bid keeps the additional costs for the other change orders within the contingency.

There was discussion amongst the Commissioners, Paul Weddle, Dan Chubb, and Dan Zuerner regarding the matter. Commissioner Palmer stated Dan Zuerner mentioned a point very well taken, it is a building the County does not own and it's unknown how long the County will be leasing it. Commissioner Dawes stated when the design was done for the project, staff from the Coroner's Office had input and would've known what was going into it and that would've been the time to ask for the larger generator. Commissioner Dawes advised that in his past experiences with projects, there's always things you have to look at and determine what items are absolutely necessary and what items are frills or not necessary. Dan Zuerner stated every other thing the Coroner's Office has asked for they have been able to fulfill. Commissioner Gentry inquired if the generator that was in the initial bid is sufficient for what's needed. Paul Weddle and Dan Zuerner advised it is sufficient for the areas that require cooling. Dan Chubb advised that when he met with Kevin Cavanaugh to design the office, it was noted that the generator had to be large enough to run the cooler, negative air for autopsy room, and the lighting for the autopsy room. Paul Weddle and Dan Zuerner stated the 35KW generator is large enough to run the cooler and the autopsy suite, which includes the negative air and lighting. Paul Weddle and Dan Zuerner advised they will verify the generator is large enough. Dan Chubb stated he is doubtful it is large enough based upon input from one of his employees that also does work as an electrical engineer.

It was the consensus of the Commissioners for Paul Weddle to confirm the generator as bid is sufficient for the required areas and to proceed with that generator and the remaining change orders.

**IN THE MATTER OF AMENDMENT TO DLZ DESIGN AGREEMENT FOR
NEW HIGHWAY DEPARTMENT FACILITY**

John Ayers requested this matter be tabled.

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

IN THE MATTER OF 2024 COUNTY ATTORNEY CONTRACT

Commissioner Palmer presented the 2024 County Attorney Contract with Steuerwald, Witham and Youngs and stated the terms are the same as the 2023 Contract, with one minor change to insurance, and requested approval.

Commissioner Dawes moved to approve the 2024 Contract with the amendment of the date on page 1 from 2023 to 2024. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

IN THE MATTER OF HCCC AT&T HOSTED 911 SYSTEM AGREEMENT

Commissioner Dawes presented the AT&T Hosted 911 System Agreement for \$1,799,000.00 for the switch at the Hendricks County Communications Center (HCCC) approved at the March 26, 2024 Commissioners' Meeting and requested approval.

There was discussion amongst the Commissioners and Renee Tomlinson, HCCC Director, regarding the matter.

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 PROCLAMATION FOR PUBLIC SAFETY TELECOMMUNICATOR WEEK

Commissioner Palmer reported it was brought to their attention at the last Commissioners' Meeting that was the consensus of the Commissioners to issue a Proclamation for Public Safety Telecommunicator Week. Commissioner Palmer presented the Proclamation to Renee Tomlinson.

IN THE MATTER OF CERTIFICATE OF SPECIAL COMMISSIONER RECOGNITION

It was the consensus of the Commissioners to present the Hendricks County Extension Homemakers a Certificate of Special Commissioner Recognition to recognize the organization's 110th birthday. The Extension Homemakers are dedicated to empowering and enriching the lives of individuals, families, and communities by strengthening families through continuing education, leadership development, and volunteer community support. Commissioner Palmer stated she will present the Certificate to them on May 2, 2024.

IN THE MATTER OF ELECTED OFFICIALS

Nicole Lawson reported Form 11 assessments are going out this week for 2024 taxes payable in 2025, not to be confused with the tax bill from last year's assessment.

IN THE MATTER OF COMMENTS FROM THE FLOOR

A member of the audience reported Cordelio stated in an article in The Republican that they will continue to pursue commercial wind farms in Hendricks County and inquired if there is another path they could take to accomplish this, despite the Ordinance signed by the Commissioners banning them.

There was discussion amongst the Commissioners, John Ayers, and Tim Dombrosky regarding the matter. Commissioner Palmer stated the Commissioners just signed an Ordinance banning them. Commissioner Gentry reported there was a House bill presented a couple years ago that could be presented again, that would take the authority away from the counties and give it to the State and encouraged those against the commercial wind farms to pay attention to the legislative bills and reach out to their legislators. Tim Dombrosky advised that under the current Ordinance, Cordelio cannot accomplish constructing a commercial wind farm in the County. John Ayers recommended referring them to the County Attorney for further clarification. Commissioner Dawes stated any company can come in and try, but they would have to abide by the Ordinances.

IN THE MATTER OF NRG CONTRACT

Paul Weddle reported he met with the NRG representative, supplier of the natural gas to County buildings, and advised the County could renew their contract early for \$4.50 per dekatherm, versus the \$6.50 per dekatherm on the current contract and inquired if the Commissioners would like to renew early.

There was discussion amongst the Commissioners and Paul Weddle regarding the matter.

It was the consensus of the Commissioner to renew the contract early to save the \$2.00 per dekatherm.

IN THE MATTER OF COMMISSIONERS

No matters presented.

IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE

TITLES ENDORSED

- | | | | | |
|---------|-----------|------------------------|------|---------------------|
| 1. 2009 | Ford E350 | VIN: 1FDDE35SX9DA92478 | LINK | To Be Auctioned Off |
| 2. 2010 | Ford E450 | VIN: 1FDDE4FS9ADA42295 | LINK | To Be Auctioned Off |

CHECKS RECEIVED

- | | | |
|----------------|-----------------------------|-------------------------|
| 1. \$351.00 | Leadership Hendricks County | Lease of Office Space |
| 2. \$11,310.50 | Travelers | Claim No. 028ADF1P4526N |
| 3. \$33,640.35 | Travelers | Claim No. 028ABF1P1515P |

STAFF REPORTS RECEIVED


1. Receipt acknowledged for the Engineering Department Report of April 23, 2024 from John Ayers.
2. Receipt acknowledged for the Executive Director’s Report of April 23, 2024 from Todd McCormack.
3. Receipt acknowledged for the I.T. Department Report of April 23, 2024 from Doug Morris.
4. Receipt acknowledged for the Facilities Department Report of April 23, 2024 from Paul Weddle.
5. Receipt acknowledged for the HR Report of April 6-19, 2024 from Erin Hughes.
6. Receipt acknowledged for the Animal Control/Shelter Report of April 5-18, 2024 from LaDonna Hughes.
7. Receipt acknowledged for the EMA Report of April 4-19, 2024 from Debbi Fletcher.
8. Receipt acknowledged for the Parks & Recreation Report of April 17, 2024 from Ryan Lemley.

CORRESPONDENCE RECEIVED

1. Letter from “A Concerned Voter” regarding candidates.
2. Certified mail from Keith and Krista Lorenz request for public access to documents regarding Joseph Jones (Ross) regulated drain project.
3. Notice of Tort Claim from McNeely Law LLP. representing Indiana Farm Bureau a/s/o Rita C. Maloney.

IN THE MATTER OF ADJOURNMENT

Commissioner Gentry moved to adjourn the Hendricks County Commissioners’ Meeting at 10:11 AM on Tuesday, April 23, 2024. 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