

BOONE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE JANUARY 2, 2024 MEETING

The Boone County Board of Commissioners met in regular session at 9:00 AM on Tuesday, January 2, 2024 in the Connie Lamar Meeting Room located on the main floor of the Boone County Annex Building at 116 W. Washington Street, Room 105, Lebanon, IN 46052 with the following personnel in attendance:

Donnie Lawson	Commissioner, President
Jeff Wolfe	Commissioner, Vice President
Tim Beyer	Commissioner
Bob Clutter	County Attorney
Kaylee Jessie	Executive Administrator

DETERMINATION OF QUORUM AND PLEDGE TO THE FLAG

Commissioner Lawson opened the meeting at 9:11 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison.

IN THE MATTER OF ELECTION OF OFFICERS

Commissioner Beyer nominated Commissioner Lawson as President and Commissioner Wolfe as Vice President for 2024. Motion seconded by Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF MINUTES

Meeting minutes for December 18, 2023 were tabled.

IN THE MATTER OF MEMORANDUM FOR EXECUTIVE SESSION

Commissioner Wolfe moved to approve the Memorandum for the December 19 and December 21, 2023 Executive Sessions as presented. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF LEGAL ISSUES

No legal issues presented at today's meeting.

IN THE MATTER OF BOONE COUNTY ECONOMIC DEVELOPMENT CORPORATION CONTRACT

Bob Clutter, County Attorney, presented the Boone County Economic Development Corporation (Boone EDC) renewal contract for 2024. Boone County shall pay Boone EDC \$132,500 for services rendered.

Commissioner Wolfe moved to approve The Boone EDC renewal contract for 2024. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF PURDUE EXTENSION CONTRACT

Bob Clutter, County Attorney, presented the Purdue University/Purdue Cooperative Extension Services renewal agreement for 2024. Boone County shall pay Purdue University/Purdue Cooperative Extension Services \$128,805 for services rendered.

Commissioner Beyer moved to approve Purdue University/Purdue Cooperative Extension Services renewal agreement. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF APEX BENEFITS LETTER OF AGREEMENT

Megan Smith, Human Resources Director, presented the Apex Benefits Letter of Agreement to continue brokerage services. The County's insurance committee gave a favorable recommendation to continue with Apex Benefits services after reviewing the six responses for the Request for Proposal (RFP). During the process, Apex Benefits agreed to reduce the medical benefit client advisor fee from 12% to 8.5% for Stop Loss commissions for administering our healthcare benefit.

Commissioner Wolfe moved to approve the Apex Benefits Letter of Agreement to continue brokerage services. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF 2024 HCC STOP LOSS APPLICATION

Megan Smith, Human Resources Director, presented the 2024 HCC Stop Loss application for signature.

Commissioner Wolfe moved to approve the 2024 HCC Stop Loss application. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF OLD BUSINESS

1) ORDINANCE 2023-10 REPEALING AND REPLACING BOONE CO. CODE SECTIONS RELATING TO CONSTRUCTION AND PERMITTING IN COUNTY ROW (2ND READING)

Bob Clutter, County Attorney, presented Ordinance 2023-10 repealing and replacing Boone County Code Sections relation to construction and permitting in county right of way (ROW) for a second reading. There was a minor amendment during the first reading at the December 18th meeting. Commissioner Beyer recommended removing:

§ 150. 50 PERMIT FEES *“(D) The provisions of this chapter pertaining to the fee shall not apply to work done as part of a project owned by any city, town, municipal corporation, or any other county, or by any agency of the state, provided that these entities shall comply with all other applicable provisions of this chapter.”*

The ordinance presented today reflects the change.

Commissioner Beyer moved to approve Ordinance 2023-10 repealing and replacing Boone County Code Sections relation to construction and permitting in county right of way (ROW). Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

2) **2024 APPOINTMENTS**

The 2024 appointment discussion was tabled.

3) **BOONE COUNTY JUSTICE CENTER PROJECT UPDATES**

Michael Nielsen, Project Manager, presented the following updates for the Boone County Justice Center project:

Safety	<ul style="list-style-type: none"> ● 193 days without a recordable incident. ● Daily and weekly safety meetings continue. ● Posted red “Danger” tape around areas where above head welding is occurring. <p>Controlled Access Zones</p> <ul style="list-style-type: none"> ● Heavy traffic on the road recently so use caution when in area. ● Cleaning mud has been a challenge but doing the best we can with weather. ● We will be scheduling a Risk Management visit in January with our insurance carrier. ● Had an issue with delivery trucks going all around the access road so we are setting up barricades to prevent that. ● Deep structures and how they will be fenced in.
Issues	<ul style="list-style-type: none"> ● NO current issues.
Milestones accomplished since last update	<ul style="list-style-type: none"> ● The new road is mostly complete as well as NW parking lot completed. ● Significant progress with Masonry walls in Building E ● Roofing being installed in Building B ● Unit C demolition continues. ● Unit C foundations and walls continue.
Schedule milestones to be accomplished	<ul style="list-style-type: none"> ● Building A roof is a focus this week. ● Crane was on site last week installing steel for the roof in Building A. ● Framers started on interior walls of B and will continue this week. ● Work on retaining walls outside of Unit B and Unit C. ● Focusing on closing up the buildings and getting them ready to work inside for the winter.

4) **TIMECLOCK PLUS PROJECT UPDATES**

Michael Nielsen, Project Manager, presented the following updates for TimeClock Plus (TCP):

- A letter from the Auditor, Human Resources, Project Manager and Commissioners will be going out to all department heads referencing changes for the first quarter. These changes are to simplify the process for both timekeeping and payroll.

5) K2M 20 YEAR NEEDS ASSESSMENT PROJECT UPDATES

Michael Nielsen, Project Manager, presented the following updates for K2M 20 Year Needs Assessment Project:

- The final report is close to being completed.
- Goal to present to the Commissioner and the Council in February.

6) PAPER BALLOT DISCUSSION

Mike Broach, Boone County Resident, presented the Notice and Demand to Immediately Comply with the Indiana Constitution – 2024 Elections Notice to Agent is Notice to Principal and Notice to Principal is Notice to Agent and read it aloud. (See Appendix #2) Commissioner Beyer commented the recent set of notices have been sent to the Boone County Election Board, Commissioners, Council, Sheriff, Prosecutor, Indiana Attorney General, Indiana Secretary of State, and the Indiana Supreme Court electronically the past couple of days. Members of the public have attended many commissioners meeting, approximately six (6) months. Beyer has a few concerns about elections.

- 1) Indiana First Actions (IFA) has presented data that Boone County elections looks fairly similar to every county in the state of Indiana.
- 2) There have been issues with straight party voting with machines-votes are not applied to at large races on straight party tickets. Beyer presented data from the 2022 Election for School Board Races.
- 3) The notices that have been received-the people are instructing us (government employees) to conduct elections based on what we (Elected Officials) agreed to do when they hired (elected) us. There is an Election Board Meeting on Thursday. Beyer stated that the notices instruct the commissioner to take action depending on if the Election Board does the job they were hired to do. Beyer encouraged the other commissioners to meet with the group individually between now and the next meeting.

Commission Wolfe commented that the commissioners received approximately one hundred forty (140) emails of the notices, but there were a few with not real signatures and made-up names (Example: /s/ Public Disgrace).

IN THE MATTER OF STAFF REPORTS

- APC – Stephen Elkins
- Capital Investments / Facilities – Max Mendenhall
- Health Department – Lisa Younts / Abby Messenger
- Highway Department – Nick Parr
- Human Resources – Megan Smith
- IT Support – GUTS
- Other Elected Officials

Herschell Servies, Jr. MD, Boone County Health Office presented the following item(s):

- 1) Servies is concerned about the delay of the appointments to the Health Board. There are three (3) board members terms that have expired as of December 31, 2023. Servies commented on their qualifications and dedication to the board. The board recommends reappointment of the three members. There is a Health Board meeting scheduled two weeks from tomorrow, but they are considering canceling the meeting if the appointments are delayed. Servies has reviewed the resumes submitted for consideration and believes the existing board members are the best candidates.

Nick Parr, Director of Highways presented the following item(s):

- 1) Construction in right of way permit (#202310172) for Charter Communications at 5635 W 700 N for boring in the right of way and under CR 700 N to install duct and fiber. The Boone County Highway Department recommends approval with a \$5,000 Bond.
Commissioner Wolfe moved to approve the construction in right of way permit (#202310172) for Charter Communications. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.
- 2) Bond for Indy Water Heater & Softener at 12505 Promise Creek Lane, Fishers, IN 46038 for contract work in right of way. The Boone County Highway Department recommends acceptance of the bond. Commissioner Wolfe moved to approve the Bond for Indy Water Heater & Softener. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.
- 3) A commitment letter for the Community Crossings Grant application for Project 2022-06, Bridge 19 Rehabilitation. Bridge 19 is at CR 1075 W north of CR 700 N over Goldsberry Ditch. This bridge is 32' long, was built in 1980 and is showing signs of wear on the deck and piling. Previously this was submitted for federal funding during the call for bridge preservation projects, but INDOT was unable to award any projects due to funding shortfalls. The design of the rehabilitation project, which includes coping replacement, a latex modified deck overlay, pier patching, and placement of scour protection is nearing completion and construction is anticipated to be in 2024. The current estimate of construction is \$637,771.36 and if awarded Community Crossings Grant dollars, our cost would be \$318,885.68.
Commissioner Beyer moved to approve the commitment letter for the Community Crossings Grant application for Project 2022-06, Bridge 19 Rehabilitation. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.
- 4) A commitment letter for the Community Crossings Grant application for Project 2022-15, Bridge 17 Rehabilitation. Bridge 17 is also on CR 1075 W (Colfax Blacktop) but is just south of CR 700 N over Sugar Creek. This bridge is 73.5' long, was built in 1977 and is in good condition. The life of the bridge will be extended substantially by performing a latex modified overlay on the deck after concrete patching has been completed. There is also a cost savings anticipated by letting the Bridge 17 & 19 projects together due to their proximity to each other and similar work types. Requesting execution of the commitment letter that indicates Boone County will cover 50% of the construction cost, which is currently estimated to be \$237,119.84, the total construction cost is estimated to be \$474,239.64.
Commissioner Beyer moved to approve the commitment letter for the Community Crossings Grant application for Project 2022-15, Bridge 17 Rehabilitation. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

5) Other Highway Items for Information/Discussion

- Lilly Project updates
 - Eastern Bypass is anticipated to remain closed during the winter months. The surface layer and finish work have not been completed and will be finished in the spring.
 - 375 N (SR 39 to 150 W) & 150 W (450 N to SR 47) will remain open to local traffic and in their current condition throughout the winter.

Danielle Morrison, Boone County resident, commented that the house is still standing where the bus turnaround is supposed to be constructed. What is the solution for the bus route when the traffic for the Lilly project is expected to increase in February? Parr responded that he would follow up on when the turnaround is expected to be constructed.

Auditor Debbie Crum, Boone County resident, complained about the gravel at the intersections of CR 150 / CR 300 for the light pole installation. The dump trucks are spewing gravel everywhere. Is there any way to get that cleared off the pavement? Parr responded that they have brought it to the construction teams' attention that the roads need to be swept but longer weekends make it even more difficult to maintain the roadways.

IN THE MATTER OF DOCUMENT SIGNING

1) Claims Dockets – regular, prepaids, payroll, and insurance.
Commissioner Wolfe moved to approve Budgetary Claims presented from the Auditor's Office. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF MAIL

See (**Appendix #3**) for a list of mail opened by the Commissioners on this date.

IN THE MATTER OF ADJOURNMENT

With no further business, Commissioner Beyer moved to adjourn the Boone County Commissioners' Meeting at 9:56 AM on Tuesday, January 2, 2024. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.