

BOONE COUNTY BOARD OF COMMISSIONERS

Meeting Agenda for May 20, 2024 at 9:00 AM

Connie Lamar Meeting Room
Boone County Annex Building
116 W. Washington St., Room 105
Lebanon, Indiana 46052

This is a friendly reminder that the Commissioners meeting will be open to the public. The Commissioners ask that Elected Officials/Department Heads to be mindful to members of the public and media as seating will be limited. There is a conference bridge functionality that is available to you.

ZOOM LINK- <https://zoom.us/j/4874385613>

Please mute your audio while on the call unless you are presenting an agenda item.

****Revised****

1. Call Commissioners' Meeting to Order.
2. Determination of Quorum and Pledge of Allegiance to the Flag
3. Approval of Minutes of the May 6, 2024 Commissioners' Meeting
4. Approval of April 19, 2024 and May 1, 2024 Executive Session Memorandums
5. New Business
 - A. Legal Issues County Attorney
 - B. Project 2022-06, Bridge 19 Rehabilitation and Project 2022-15, Bridge 17 Preservation
 - C. Project 2024-03, Microsurfacing in Various Townships
 - D. Taylor Farm Lease Amendment Commissioners
 - E. BCSSI Section 5311 Quarter 1 Claim Commissioners
 - F. Wordsystems Contract Sean Horan
 - G. Request Use of the Courthouse Lawn Suzanne Cline/Silent Book Club
 - H. Cochran's Catering & Cakes Lisa Bruder
 - I. TRICO Regional Sewer Utility Board Appointment Commissioners
 - J. GAI Professional Services Agreement for Bridge #203 Nick Parr
 - K. LPA/INDOT Agreement for the Construction Phase of Bridge #61 Nick Parr
 - L. LPA/INDOT Agreement for the RW Phase of the 400 E/100 S Intersection Improvement Project Nick Parr
6. Old Business
 - A. Project Manager Updates Mike Nielsen
7. Staff Reports
 - A. Area Plan Stephen Elkins
 - B. Capital Investments / Facilities Max Mendenhall
 - C. Health Department Lisa Younts / Abby Messenger

- D. Highway Department
- E. Human Resources
- F. IT Support

Nick Parr
Megan Smith
GUTS

8. Elected Officials

9. Document Signing

10. Acknowledgment of Correspondence

11. Adjourn

This agenda is subject to change after official notification. All times are approximate. The meeting may be extended depending upon the circumstances. The meeting will be held at the same time on the next Tuesday if the regularly scheduled Monday meeting has been canceled due to an emergency.

The Board of Commissioners for Boone County Indiana acknowledges its responsibility to comply with the American Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternate audio/visual devices, and amanuenses) for participation in or access to County sponsored public programs, services and or meetings, the county requests that individuals make request for these services forty-eight (48) hours ahead of the scheduled program, services and/or meeting. To make arrangements, contact Kaylee Jessie, Executive Administrator at (765) 483-4492 or email: kjessie@co.boone.in.us.

BOONE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE MAY 20, 2024 MEETING

The Boone County Board of Commissioners met in regular session at 9:00 AM on Monday, May 20, 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 MINUTES

Commissioner Beyer moved to approve the Minutes of May 6, 2024 Commissioners' Meetings as presented. Motion seconded by Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF EXECUTIVE SESSION MEMORANDUMS

Commissioner Wolfe moved to approve the April 19, 2024 and May 1, 2024 Executive Session Memorandums as presented. Motion seconded by Beyer; motion passed unanimously 3-0.

IN THE MATTER OF LEGAL ISSUES

Attorney Bob Clutter presented:

- 1) The request to **accept** the following bonds:
 - Accept Performance Bond for Peabody Farms West
 - Sewer and Subsurface Drain: \$1,230,964.0
 - Accept Maintenance Bond for Park 130 Building 7
 - Storm Sewer: \$44,500.00

Commissioner Beyer moved to accept the bonds as submitted. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 2) The request to **release** the following bonds:
 - Release Performance Bonds for Park 130 Infrastructure Roundabout
 - Erosion Control: \$54,613.20
 - Storm Sewers: \$545,765.00
 - TOTAL: \$600,378.20

- Release Performance Bonds for Park 130 Building 7
 - Erosion Control: \$ 260,714.48
 - Storm Sewers: \$132,668.80
 - TOTAL: \$393,383.28

Commissioner Beyer moved to release the bonds as presented. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 3) Ratification of the affidavit for payment to GM Development for Draw Request 018 for construction of the Boone County Justice Center (BCJC). The total amount of the affidavit for payment for Draw Request 018 is \$2,339,735.95.

Commissioner Beyer moved to ratify the affidavit for payment to GM Development for Draw Request 018 as presented. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 4) Ratification of the following Veridus Group recommendation letters:

- Recommendation Letter 078 – To proceed with approval of costs per the MOPEC quote #QIN67029.22I dated 04/25/24, specific to the Coroner medical equipment package.
 - The total MOPEC quote amount: \$94,856.88
- Recommendation Letter 079 – To proceed with approval of costs per the Helmer Scientific quote #QUO-180288-K5M7H5 dated 04/24/24, specific to the lab and pharmacy refrigerators.
 - The total Helmer Scientific quote amount: \$19,979.26

Commissioner Beyer moved to ratify the Veridus Group recommendation letters as presented. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 5) Ratification of the KeyBank National Association letter that the Boone County Commissioners (landlord) agrees and acknowledges to Section 4 that the Landlord considers Tenant’s (KeyBank) payments toward Operating Expenses for 2016 through the effective date (April 18, 2024) as paid in full and no additional rent by Tenant is owed for Operating Expenses.

Commissioner Beyer moved to ratify the KeyBank National Association letter as presented. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

**IN THE MATTER OF BID OPENING FOR PROJECT 2022-06, BRIDGE 19 REHABILITATION
AND PROJECT 2022-15, BRIDGE 17 PRESERVATION**

<u>Bidder</u>	<u>Date</u>	<u>Time</u>	<u>Bridge 17</u>	<u>Bridge 19</u>	<u>Total Bid</u>
American Contracting Services	5/20/2024	7:52 AM	\$ 326,340.00	\$ 494,916.00	\$ 821,256.00
Duncan Robertson	5/20/2024	8:21 AM	\$ 420,421.56	\$ 556,043.66	\$ 976,465.22
E&B Paving	5/17/2024	2:53 PM	\$ 279,390.60	\$ 466,560.50	\$ 745,951.10
HIS Constructors	5/20/2024	7:48 AM	\$ 253,000.00	\$ 544,000.00	\$ 797,000.00
Milestone Contractors, L.P.	5/20/2024	7:56 AM	\$ 348,000.00	\$ 634,750.00	\$ 982,750.00
Pontem Contractors	5/20/2024	8:08 AM	\$ 320,500.00	\$ 510,500.00	\$ 831,000.00
Reith Riley	5/20/2024	8:05 AM	\$ 356,920.72	\$ 561,823.77	\$ 918,744.49
Superior Construction	5/20/2024	7:51 AM	\$ 338,410.96	\$ 775,589.04	\$ 1,114,000.00

Commissioner Beyer moved to take the bids under advisement for review by the highway department. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

**IN THE MATTER OF BID OPENING FOR PROJECT 2024-03,
MICROSURFACING IN VARIOUS TOWNSHIPS**

Item #	Description	Unit	Quantity	Microsurfacing Contractors		Pavement Solutions	
				Unit Cost	Total	Unit Cost	Total
Base Bid	Double Microsurface of Middle Jamestown Rd from SR 75 to CR 500 W	SY	42,100	\$ 7.00	\$ 294,700.00	\$ 5.30	\$ 223,130.00
Alternate 1	Double Microsurface of Frontage Rd from Middle Jamestown Rd to approx. 1570' South of Middle Jamestown Rd (Private Drive)	SY	3,000	\$ 7.00	\$ 21,000.00	\$ 5.30	\$ 15,900.00
Alternate 2	Double Microsurface of Sugar Creek Rd from 700' North of E Fairfield St (Thorntown Corporate Limits) to US 52	SY	29,000	\$ 7.00	\$ 203,000.00	\$ 5.30	\$ 153,700.00
Alternate 3	Double Microsurface of Amos Drive from CR 550 S to 533 Amos Drive (Private Drive)	SY	3,500	\$ 7.00	\$ 24,500.00	\$ 5.30	\$ 18,550.00

Base Bid & Alternates 1-3 Total:

\$543,200.00

\$411,280.00

Commissioner Beyer moved to take the bids under advisement for review by the highway department. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF TAYLOR FARM LEASE AMENDMENT

Bob Clutter, County Attorney, presented the proposed amendment to the Taylor farmland lease. The amendment reflects a reduction in Tillable Real Estate from thirty-nine (39) acres to thirty-four (34) acres. This reduction of tillable acres on the Real Estate is due to the ongoing expansion of the Boone County Jail and related improvements. The Taylor's also requested a reimbursement of \$400 for work done on the farmland in fall 2022, which they were not informed would be affected by the jail expansion until after the work was completed. The reimbursement breakdown is as follows:

- \$300 for 5 acres of fertilizer applied at \$60/acre.
- \$100 for 5 acres of Disc Rapp at \$20/acre.

Commissioner Beyer moved to approve the Taylor farmland lease amendment and the reimbursement of \$400 to Tom and Janice Taylor. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF BCSSI SECTION 5311 QUARTER 1 CLAIM

Bob Clutter, County Attorney, presented the Boone County Senior Services (BCSSI) / Boone Area Transit System (BATS) Section 5311 claim (INV# 0000001026) for CY 2024 - Quarter 1 for ratification. Commissioner Lawson approved the claim on May 14, 2024. The claim amount presented is \$124,770.00.

Commissioner Beyer moved to ratify the BATS Section 5311 claim (INV# 0000001026) for CY 2024 - Quarter 1. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF WORDSYSTEMS CONTRACT

Sean Horan, GUTS/IT Support, presented a lease agreement with Wordsystems to continue providing recording services for public safety and courtrooms. Our current lease agreement is scheduled to conclude by the end of CY 2025. The existing hardware, in place for six years, requires replacement. IT Support would propose starting the project now due to how difficult it is to work around the court's schedules. Wordsystems expressed interest in continuing our partnership and has proposed replacing the aging hardware at a significantly reduced cost. Additionally, they offered to provide all necessary labor free of charge.

Commissioner Beyer moved to approve the Wordsystems lease agreement. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF REQUEST USE OF THE COURTHOUSE LAWN

Suzanne Cline and Kelsey Large Plankey presented a request on behalf of Silent Book Club - Boone County to use the courthouse lawn for a meet-up scheduled for Tuesday, June 25th. The purpose of the event is to promote community engagement.

- Silent reading session from 6:00 PM to 7:00 PM.
- Book discussions and mingling from 7:00 PM to 7:30 PM.

Approximately 45-50 attendees are expected, with each participant bringing their own chair or blanket for seating. The chosen date coincides with efforts to support the Lebanon Farmers Market, aligning with Silent Book Club - Boone County's goal to bolster community involvement and local business support through their events.

Commissioner Beyer moved to approve the use of the courthouse lawn on June 25th. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF COCHRAN'S CATERING & CAKES

Auditor Debbie Crum and Bob Clutter, County Attorney, presented the agreement with Cochran's Catering & Cakes on behalf of Clerk Lisa Bruder for catering services during the election period for the Clerk's Office for ratification. Clerk Bruder signed the agreement on January 5, 2024. The details of the agreement are as follows:

Client/Company Name: Boone County Clerk's Office (Election Meals)

Dates of Service: April 27, 30; May 1, 2, 3, 4, 7, 2024

Location of Event: Delivery to various locations in Boone County (details provided per delivery)

Menu Selection: Selected menus per day as per 2024 Menu

Deposit Details: \$400.00

Guest Guarantee Set-up Fee:

0-150 people: \$100

151-250 people: \$200

251+ people: \$300 or higher (N/A)

Commissioner Beyer moved to ratify Cochran’s Catering & Cakes agreement for catering services. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

**IN THE MATTER OF TRICO REGIONAL SEWER UTILITY
DISTRICT AUTHORITY APPOINTMENT**

Bob Clutter, County Attorney, presented the letter received from Anne Hensley Poindexter regarding the request to appoint a Boone County Commissioner to serve as a member of the District Authority for TRICO Regional Sewer Utility (TRICO).

On May 13, 2024, TRICO Board of Trustees held a public hearing concerning the proposed Ordinance 04-09-2024, which sewer rates would increase by more than 5% from the rates and charges currently in effect. The Sewer Rate Ordinance 04-09.2024 was unanimously approved.

Pursuant to Ind. Code 13-26-11-15(c), if a regional sewer district approves an ordinance that increases sewer rates by greater than 5%, then either fifty (50) ratepayers or 10% of the district’s ratepayers, whichever is fewer, may file a petition objecting to the rates and charges of the district within 30 days of approval of the ordinance. The investigation concerning any such filed, and the public hearing concerning the same, is to be conducted by the District Authority for the regional sewer district.

Commissioner Beyer volunteered.

Commissioner Wolfe moved to appoint Commissioner Beyer to the District Authority for TRICO. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF GAI PROFESSIONAL SERVICES AGREEMENT FOR BRIDGE #203

Nick Parr, Director of Highway, presented the GAI Consultants professional services agreement to create a scoping report and cost estimate for the rehabilitation of Bridge #203, Project 2024-10. This bridge was built in 1965 and has not had any major work done since completion. The total not to exceed is \$6,000. This will be paid for out of 2024 budgeted dollars.

Commissioner Beyer moved to approve the GAI Consultants professional services agreement. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

**IN THE MATTER OF LPA/INDOT AGREEMENT
FOR THE CONSTRUCTION PHASE OF BRIDGE 61**

Nick Parr, Director of Highway, presented the Indiana Department of Transportation (INDOT) – Local Public Agency (LPA) agreement for the construction phase of Bridge #61 replacement project (Des No. 2101727). Bridge 61 is located on CR N 1000 E in Boone County, approximately .5 miles north of SR 32. This agreement is for the reimbursement of construction dollars – 20% local match and 80% INDOT match. The maximum amount of federal funds allocated to this project is \$1,649,080.00. Commissioner Lawson signed the agreement on May 16, 2024 via DocuSign.

Commissioner Beyer moved to ratify the INDOT-LPA agreement for the construction phase of Bridge 61. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

**IN THE MATTER OF LPA/INDOT AGREEMENT FOR THE
RW PHASE OF THE 400E/100 S INTERSECTION IMPROVEMENT PROJECT**

Nick Parr, Director of Highway, presented the Indiana Department of Transportation (INDOT) – Local Public Agency (LPA) agreement for the right-of-way acquisition phase of the CR 400 E and CR 100 S intersection improvement project (Des No. 2003020). This agreement is for the 90% reimbursement of right-of-way services. The maximum amount of federal funds allocated to this project is \$48,600.00. Commissioner Lawson signed the agreement on May 16, 2024 via DocuSign.

Commissioner Beyer moved to ratify the INDOT-LPA agreement for the right-of-way phase of the CR 400 E and CR 100 S intersection improvement project. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF OLD BUSINESS

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">• We conducted meeting number 67 with our Owner-Architect-Contractor meeting this last week. We are at roughly 60% project completion.• We are 34 days without recordable incident.
Issues	<ul style="list-style-type: none">• Dewatering continues at Unit B and Unit A deep excavation site.• CJ Well Company came out and dug three deep 50-foot 12-inch wells. It has helped but did not completely take care of the problem. We informed by geological engineers that we are sitting on top of an aquifer. The design team and engineers went back to the drawing board and plan to make the structures wider so the holes do not have to be as deep. Lochmueller, design engineer for the project, has approved of this solution.
Milestones accomplished since last update	<ul style="list-style-type: none">• Unit B low level ceiling and walls have been hung• Unit A dry wall has been hung.• Kitchen area final paint being completed.• Large kitchen vent hood has been prepped for the install.
Schedule milestones to be accomplished	<ul style="list-style-type: none">• Coolers and freezers for the kitchen are scheduled for installation next week.• Large kitchen vent hood will be installed now that prep is complete.• Kitchen flooring• Installing windows• Installing elevator

IN THE MATTER OF STAFF REPORTS

- APC –
- 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

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

1) The 2023 highway operations report for the previous year's receipts and expenditures that is due by June 1st each year. This report is completed on the LTAP's provided excel workbook using information sourced from CYMA. The report will be submitted through the LTAP data management system. Commissioner Beyer moved to approve the 2023 highway operations report. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

2) Local Public Agency (LPA) consultant agreement with Lochmueller Group for the construction inspection phase of Project 2021-15 Bridge 84 replacement, Des No 2201606. Lochmueller Group was the highest scoring firm that submitted a letter of intent for this project. This agreement is for full-time construction inspection and Boone County will get reimbursed for 80% of all the expenses incurred for this agreement. Bridge 84 is being replaced with federal funds and full-time inspection is required. This project is scheduled for a September 2024 letting.

Commissioner Beyer moved to approve the LPA consultant agreement with Lochmueller Group. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

3) **Highway Items for Information/ Possible Discussion**

- 900 N between 1100 W and the Montgomery County Line was temporarily closed for the replacement of SC-015. The roadway was reopened on Friday.
- Road work around the Lilly project:
 - CR 150 W from CR 300 N to CR 375 N will be one way northbound from 5/20 through 5/24. CR 375 N will be one way eastbound during the same timeframe. This is being done to widen the west side of the road by a few feet. Once this is complete barrier wall can be placed on the east side and still maintain a 2-lane road during the reconstruction project.
 - We have been notified that the north access to the Lilly site is expected to be open the week of 5/20.
- CR 100 S between Lyn Lea Ln and CR 650 E is anticipated to open 5/20.
- Road work is taking place on SR 39 from just south of Lebanon to Lizton. INDOT is milling, patching and microsurfacing this section of road. This project will likely continue for the next several weeks.

Councilman Kevin Van Horn presented the following item(s):

- 1) Councilman Van Horn recently had the opportunity to tour the Boone County Justice Center expansion project, which is currently under construction. It was truly inspiring to witness the progress firsthand and see how the project is coming together. Councilman Van Horn thanked former Sheriff Mike Nielsen, who serves as the Executive Project Manager, Sheriff Tony Harris, and their dedicated staff for their invaluable contributions to this endeavor. Their hard work and commitment are instrumental in bringing this vision to life. Additionally, Van Horn expressed his gratitude to the Commissioners for their support and involvement in this important project.

IN THE MATTER OF DOCUMENT SIGNING

- 1) Affidavit for payment to Lochmueller Group (Invoice #313831) in the amount of \$300.00 for the culvert replacement of SC015 on CR 900 N.
Commissioner Beyer moved to approve the affidavit for payment to Lochmueller Group (Invoice #313831). Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

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

IN THE MATTER OF PUBLIC COMMENT

Melissa Garrard, Lebanon resident, requests the County Commissioners to officially request that the Lebanon Community School Corporation repair the road cut on John Bart Road north of Fordice St and south of CR 150 N as soon as possible. Ms. Garrard believes that the County has jurisdiction over the eastern half of this road cut. The School Board property was annexed to the City of Lebanon under the old annexation statutes where annexation did not extend to full width of the right-of-way (only to the centerline). In any event, the purpose of the road cut was to access a County legal drain on the east side of John Bart Road and the vast majority of the residents inconvenienced by this road cut are County residents along John Bart Road, CR 150 N, and Elizaville Road. Ms. Garrard does not know why the drainage structure was not installed with jack and bore techniques, but the open cut has been exposed for weeks, and it is causing damage to vehicles.

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 Monday, May 20, 2024. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.