

**Boone County Board of Commissioners Minutes**  
**May 21, 2018**  
**Connie Lamar Meeting Room**  
**Boone County Government Building**

**Commissioners Present:** Marc Applegate, Jeff Wolfe and Donnie Lawson

**Commissioners Absent:** None

**Staff Attending:** Bob Clutter (County Attorney) and Kaylee Mullen (Administrative Assistant)

Board President Marc Applegate opened the meeting at 9:17 am.

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**Approval of Minutes for May 7, 2018 (Regular Meeting):**

Commissioner Donnie Lawson made a motion to approve the minutes for May 7, 2018 meeting. Commissioner Jeff Wolfe seconded the motion. Motion carried 3-0.

**In the Matter of Legal Issues:**

***Attorney Bob Clutter presented the following items:***

1. A Certificate of Appropriateness Application from Lebanon Historic Preservation Commission for the demolition and rebuilding of the wall surrounding the courthouse.

Commissioner Donnie Lawson made a motion to approve the Certificate of Appropriateness Application. Commissioner Jeff Wolfe seconded the motion. Motion carried 3-0.

2. A Performance Bond submitted by Giant Eagle, Inc. in the amount of \$30,000 for the installation of curbs, sidewalks, 2 drive approaches and reconstruction of the westbound lane of Grove Pass.

Commissioner Jeff Wolfe made a motion to accept and approve the Performance Bond submitted. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

3. The annual Covered Bridge Certification Report to be submitted to the State indicating that Boone County has not built any covered bridges.

Commissioner Jeff Wolfe made a motion to approve the Covered Bridge Certification. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

**In the Matter of 2019 INDOT 5311 Public Transit Grant – Anita Bowen**

Anita Bowen, Executive Director of BCSSI, presented the 2019 INDOT 5311 Public Transit Grant. The Federal allocation for 2019 is estimated to be in the amount of \$222,189. The State allocation has not been determined at the time. BCSSI was asked to use this year's allocation in the amount of \$83,267 for the application.

Attorney Bob Clutter presented the 2018-03 Authorizing Resolution and read the resolution aloud in pertinent parts pursuant to state law.

Commissioner Jeff Wolfe made a motion to adopt Resolution 2018-03 and authorizing the President to execute all of the grant agreements and associated documents for the 5311 Public Transit Grant Application. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

**In the Matter of 2018-02 Animal Ordinance:**

Commissioner Jeff Wolfe made a motion to approve 2018-02 Animal Ordinance with striking of the livestock, subject to the changes discussed, and subject for an annual review for at least the first three years.

Commissioner Donnie Lawson seconded the motion. Motion carried 2-1. ***Pursuant to Indiana State Law as the ordinance did not receive unanimous approval the Commissioners will have a second reading at their next meeting on June 4, 2018.***

**In the Matter of 2018-04 Ordinance Amending Weights & Measures Ordinance 2009-04**

Attorney Bob Clutter presented 2018-04 Ordinance amending Boone County Ordinance 2009-04 relating to Weights & Measures security seals as they transition from analog to digital scales. Attorney Bob Clutter read the ordinance aloud in pertinent parts pursuant to state law.

Commissioner Donnie Lawson made a motion to approve Ordinance 2018-04. Commissioner Jeff Wolfe seconded the motion. Motion carried 3-0.

**In the Matter of a Hoagie Sale on the North Side of Courthouse – Lions Club**

Commissioner Jeff Wolfe made a motion to approve of the Hoagie Sale on the north side of courthouse on June 1, 2018, beginning at 10 AM. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

**In the Matter of Boone County Sheriff's Office and Jail Feasibility Study & Life Cycle Cost Analysis - DLZ**

Item was tabled a second time until next meeting.

**In the Matter of EMA Sub-Grant Agreement:**

Rachel Hanson, EMA, presented the Annual Salary Reimbursement Grant in the amount of \$30,735.97. This grant pays for 50% of the salaries for EMA Director, Deputy Director and Administrative Assistant.

Commissioner Jeff Wolfe made a motion to approve of the Grant Agreement. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

**Other Elected Officials:**

There was none at this time.

**In the Matter of Old Business:**

There was none at this time.

**In the Matter of Staff Reports**

- a. Facility Maintenance – Mike Miller
- b. APC – Rachel Cardis
- c. IT Support – GUTS
- d. Health Department – Cindy Murphy
- e. Highway Department – Craig Parks

***Craig Parks, County Engineer and Director of Highway Department presented the following items:***

1. Construction in Right of Way Permit (#201810013) with Earth & Turf Partners, LLC for review and approval. This permit is for 65 foot of grading work parallel to the road on Spring Hills Drive. BCHD recommends approval with a \$10,000 bond.

Commissioner Jeff Wolfe made a motion to approve of Construction in Right of Way Permit (#201810013) with Earth & Turf Partners, LLC. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

2. Construction in Right of Way Permit (#201810014) with Boone County REMC for review and approval. This permit is for placement of 7,400 foot of poles and overhead lines on CR 425W between CR 200S and 350S. Boone County REMC already has an annual permit bond on file with the BCHD. Commissioner Donnie Lawson made a motion to approve of Construction in Right of Way Permit with Boone County REMC. Commissioner Jeff Wolfe seconded the motion. Motion carried 3-0.
3. Construction in Right of Way Permit (#201810015) with Frontier Communications for review and approval. This permit is for 250 of underground boring and one bore under roadway on CR 260N west of State Road 75. BCHD recommends approval with a \$15,000 bond. Commissioner Donnie Lawson made a motion to approve of Construction in Right of Way Permit with Frontier Communications. Commissioner Jeff Wolfe seconded the motion. Motion carried 3-0.
4. Construction in Right of Way Permit (#201810016) with Boone County REMC for review and approval. This permit is for placement of 1,350 foot of new poles and overhead lines on CR 500N from 700E for 1,350 feet. Boone County REMC already has an annual permit bond on file with the BCHD. Commissioner Donnie Lawson made a motion to approve of Construction in Right of Way Permit with Boone County REMC. Commissioner Jeff Wolfe seconded the motion. Motion carried 3-0.
5. Road Closure Permit (#201830006) for Miller Pipeline doing work for CEG for review and approval. The proposed road closure is for 96<sup>th</sup> and Cooper Road for a water line extension during Tuesday, May 22, 2018, through Wednesday, May 23, 2018. BCHD recommends approval. Commissioner Jeff Wolfe made a motion to approve of Road Closure Permit for Miller Pipeline. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.
6. Release and Indemnification Agreements with property owners Isenhower /Burnell. Both property owners are donating the right-of-way to the county for construction of bridge #72. The county has also agreed to cover the cost of relocating and installing new fencing for Isenhower/Burnell. Commissioner Jeff Wolfe made a motion to approve of the agreement with both land owners. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.
7. Professional Service Agreement Letter with Mike Summers to relocate and install new fencing for the owners who donated the right-of -way for replacement of Bridge No. 72 in the amount of \$19,768. Commissioner Jeff Wolfe made a motion to approve of the Professional Service Agreement. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.
8. Two Change Orders with Conexco, Inc. for the removal of Jameson Bridge.
  - Change Order #1 in the amount of -\$7,706.16 removing the proposed storm sewer due to modification for upgrading the system between the inlets.
  - Change Order #2 in the amount of \$15,949.50 including the upsizing the pipe system and moving inlets to the north side of the road at Lebanon's request.
  - Craig also requested Attorney Bob Clutter to draft a MOU between Boone County and the City of Lebanon for reimbursements.Commissioner Donnie Lawson made a motion to approve Change Orders #1 and #2. Commissioner Jeff Wolfe seconded the motion. Motion carried 3-0.
9. Town of Zionsville is completing a design of improvements to Bride #219 on Zionsville Road over Eagle Creek. The improvements to this bridge include widening of the pedestrian sidewalk, pedestrian railing and aesthetic features. Craig has requested for the Town of Zionsville to include overlay to their project. Town of Zionsville has agreed to cover the cost of improvements to the bridge. Craig recommends a vote of support from the Commissioners, followed by a formal MOU.

Commissioner Jeff Wolfe made a motion to approve a vote in confidence of the project. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

10. Other Updates:

- Annual PASER rating of our road conditions in Boone County during the past three years.
- Road conversion of 700N near US Aggregates has begun. This includes an innovative Cold Central Plant Recycling mix which is the first time this process has been used in the State of Indiana.
- INDOT recently announced 2018 call for projects will be opened in August of this year. BCHD is working internally to determine the best projects to submit this year.
- Earth Exploration system has been installed and BCHD has been able to review reports.

**Public Comments:**

Lloyd Hayden was inquiring about an update for Bridge #32. Community Foundation has raised about \$40,000 for repairs of the bridge. He has been in contact with a few contractors who are interested in seeing the BID Packages for this bridge when they become available.

Craig Parks spoke on the matter, stating his concern is that when State Road 39 is closed during a project next year that the bridge could potentially be damaged again if the wrong type of vehicle crossed and caused structural damage if someone neglects to follow the barricades and detour signage. There are also other bridges throughout the county that need to be repaired due to age and wear, not negligence.

**In the Matter of Claims presented in today's meeting**

See **(Appendix #2)**

Commissioner Jeff Wolfe made a motion to approve claims as submitted. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

**In the Matter of Mail**

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

With no further business, Commissioner Jeff Wolfe made a motion to adjourn at 10:24 am. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.