

Boone County Board of Commissioners Minutes
October 25, 2018
Connie Lamar Meeting Room
Boone County Government Building

Commissioners Present: Marc Applegate and Jeff Wolfe

Commissioners Absent: Donnie Lawson

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

Board President Marc Applegate opened the meeting at 9:08 am.

Approval of Minutes for October 1, 2018 (Regular Meeting):

Commissioner Jeff Wolfe made a motion to approve the minutes for the October 1, 2018 meeting.

Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

In the Matter of Legal Issues:

Attorney Bob Clutter presented the following items:

1. Mark Ransom was reappointed to the Hospital Association Board during the Commissioners' meeting on September 24th. For public clarification, Mr. Ransom's term began on September 24, 2018, and will expire August 2, 2022.

2. Edmonds Creek Easement that was discussed during the Drainage Board Meeting.

Commissioner Jeff Wolfe made a motion to accept the Easement for Edmonds Creek.

Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

3. Request for Proposal of Hosted Voice Over Internet Protocol (VOIP) Telephone Services

Estimated Timeline

Pre-Proposal:	November 7, 2018
Proposals Due:	December 14, 2018
Notification of intent to award:	January 14, 2019
Contract award:	February 14, 2019
Performance begins:	March 1, 2019
Performance completion:	September 1, 2019

Commissioner Jeff Wolfe made a motion to approve the Request for Proposal of Hosted Voice Over Internet Protocol (VOIP) Telephone Services. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

4. The proposal of option one (1) for the renewal of the Employee Health Insurance Plan keeping Reliance as the County's insurance provider and taking out the lasers that will result in a 5% reduction of the premium.

Commissioner Marc Applegate wants to add that there will be a change in the insurance resulting in the employees paying an additional 2%. The insurance committee recommends approval of Reliance.

Commissioner Jeff Wolfe made a motion to accept the renewal of Employee Health Insurance with Reliance, option one. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

5. Letter to Sharp Business Systems regarding the termination of Management Services Agreement effective December 14, 2018. The termination of this agreement was previously approved by the Board of Commissioners during their meeting on September 24, 2018. Commissioner Jeff Wolfe made a motion to approve the letter to Sharp Business Systems. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

In the Matter of Bid Opening for ADA Ramp Modification Door Improvement:

***** Bid opening began at 9:15 am *****

1. 3D Professional Contracting
327 N. Patterson, Lebanon, IN 46052
Received: October 24th at 11:31am
Bid Amount: \$58,200.00
2. Hagerman Construction
510 West Washington Boulevard, Fort Wayne, IN 46802
Received: October 24th at 10:00am
Bid Amount: \$59,700.00

Commissioner Jeff Wolfe made a motion to take bids under advisement by the County's Engineer and the County's architect. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

In the Matter of Debarment and Suspension Certification – Anita Bowen/BCSSI

Attorney Bob Clutter presented the Debarment and Suspension Certificate executed by the Boone County Senior Services, Inc. Executive Director, Anita Bowen on October 18, 2018, and recommends acceptance and execution by the president of Boone County Commissioners. This form will need to be submitted each year as the 5311 grant is renewed.

Commissioner Jeff Wolfe made a motion to approve the Debarment and Suspension Certificate. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

In the Matter of Approval of the FTA 5311 Public Transportation Grant – Anita Bowen/BCSSI:

Attorney Bob Clutter presented the Federal Transportation Agency Fiscal Year 2018 Certifications and Assurances [Attachment 4] for the 5311 Public Transportation Grant for approval.

Commissioner Jeff Wolfe made a motion to approve the Certifications and Assurances for the 5311 Public Transportation Grant. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

In the Matter of Ordinance 2018-12 Establishing a Non-Reverting Fund for Enforcement of Animal Control Ordinance: Attorney Bob Clutter presented Ordinance 2018-12 Establishing a Non-Reverting Fund known as the Animal Control Fund. The proposed ordinance was read aloud in pertinent parts pursuant to Indiana State Law. The fund shall consist of monies received from fines, fees, penalties, donations, or payments from participating municipalities, to be used for expenses related to the enforcement of the Animal Control Ordinance.

Commissioner Jeff Wolfe made a motion to adopt Ordinance 2018-12 Establishing a Non-Reverting Fund for Enforcement of Animal Control Ordinance. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

In the Matter of Display on Courthouse Lawn – Zonta Club of Lebanon

Joanna Shoemaker presented the request to display the Zonta Club's 16 Days of Activism on the courthouse lawn for the third consecutive year. It will be displayed from Sunday, November 25th (*International Day for the Elimination of Violence against Women*) to Monday, December 10th (*Human Rights Day*). It is a strategic program that is done worldwide to advocate against domestic violence against women.

Commissioner Jeff Wolfe made a motion to approve of the Zonta Club's 16 Days of Activism display on the courthouse lawn. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

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 / Josh Dickey
- e. Highway Department – Craig Parks

Nick Parr, Operations Manager of Highway Department presented the following items:

1. Construction in Right of Way Permit (#201810028) with Boone Co. Surveyor's Office for review. This is for underground linear construction at 664 West Russel Lake Drive.

Commissioner Jeff Wolfe made a motion to approve of Construction in Right of Way Permit (#201810028) with Boone Co. Surveyor's Office. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

2. Construction in Right of Way Permit (#201810027) with Duke Energy for review. This is for pole replacement at 861 S 650 E. A bond in the amount of \$5,000 has been requested.

Commissioner Jeff Wolfe made a motion to approve of Construction in Right of Way Permit (#201810027) with Duke Energy. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

3. Construction in Right of Way Permit (#201810029) with Stonegate POA-Chris Lake for review. This is for equipment crossing sidewalk/curb at Stonegate Subdivision. A bond in the amount of \$2,000 has been requested.

Commissioner Jeff Wolfe made a motion to approve of Construction in Right of Way Permit (#201810029) with Stonegate POA – Chris Lake. Commissioner Marc Apple seconded the motion. Motion carried 2-0.

4. Construction in Right of Way Permit (#201810030) with Boone REMC for review. This is for pole replacement at various locations in the northeast part of the county. A bond in the amount of \$35,000 has been requested.

Commissioner Jeff Wolfe made a motion to approve of Construction in Right of Way Permit (#201810030) with Boone REMC. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

5. A contract amendment with DLZ to reallocate the Base Fee to Redesign and Rebid Services for Project 2017-03, Bridge 32 Emergency Repair. The total hourly rate fee has not changed.

Commissioner Jeff Wolfe made a motion to approve the contract amendment with DLZ. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

6. Change Order #2 with Calumet Civil Contractors, Inc. reducing the unit price of wedge and level and intermediate asphalt for Project 2018-01, Asphalt Resurfacing in Various Townships. The highway department altered the mix design before construction began to increase the structural strength of the base layers of asphalt, which lowered the cost of the mix \$.29 per ton. Reducing the total contract amount by \$2,559.83 to \$1,172,264.17. Also, Change Order #3 zeroing all the unused items for Project 2018-01. Reducing the total contract amount by \$244,269.62 to \$927,994.55.

Commissioner Jeff Wolfe made a motion to approve both Change Orders with Calumet Civil Contractors. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

7. Change Order #1 with John T. Camden Construction Co. increasing the contract amount by \$300 for additional crack repair that was found by the contractor during construction. The new contract amount is \$ 165,560.

Commissioner Jeff Wolfe made a motion to approve Change Order #1 with John T. Camden Construction Co. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

8. Change Order #2 with John T. Camden Construction Co. zeroing out the unused item and decreases the contract amount \$1,440.00. The final contract amount is \$164,120.00.

Commissioner Jeff Wolfe made a motion to approve Change Order #2 with John T. Camden Construction Co. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

9. CSX Railroad/Safety Services contacted the Highway Department requesting to close crossings at various locations for maintenance. There were several closure requests in the same area at the same time, and the Highway Department was not in favor of that. Safety Services was instructed that all permits were to be presented to the Board of Commissioners for review and approval before beginning the maintenance. Before the meeting even started, Safety Services had already posted road closure signs and began tearing up asphalt. There is a concern with Safety Services closing CR 250N, CR 300N, and CR 375N at the same time. It would block access to the Hospital and cause a 5-6 miles detour. The concern of the three closings in the south at CR 200E, CR 650S, CR 750S at the same time would be that they are blocking off Perry Township Fire. They are putting residents in jeopardy if there are any emergencies that inhibit Sheriff's Department, Fire Department, or EMS from responding. They have already closed CR 750N and CR 800N without approval interfering with school transportation. Cecil Gosser, WeBo Transportation, has called the Highway Department with his concerns about having both roads closed at the same time.

Commissioner Marc Applegate authorized Attorney Bob Clutter to send a letter to Safety Services that they are in violation of Boone County's Right-of-Way Ordinance and will assess maximum fines permitted by the Ordinance or State Law.

Commissioner Jeff Wolfe made a motion to take the road closure requests under advisement until contact with the contractor has been made. Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

Other Elected Officials:

Elise Nieshalla, County Council Member, wanted to announce that the Trail Summit meeting will be on Tuesday, November 13th at 6:30 pm. Several things will be discussed at this meeting as far as what the County wants this trail project to accomplish. What is important to each group impacted by the trail. (Property owners, cyclists, the general public and taxpayers) They will also be discussing the safety, cost, and maintenance.

In the Matter of Public Comments:

There was none at this time.

In the Matter of Document Signing:

1. A Key Request Form for the following:
 - Jenna Crick for the Prosecutor's Office
 - Ridge Carter for the Prosecutor's Office
 - Katie Mathis for the Environmental Health Department

Commissioner Jeff Wolfe made a motion to approve the Key Request forms.

Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

2. Affidavit of Payment for USI Consultant for Bridge 202 rehabilitation and design in the amount of \$8,628.00 to be paid out of the 2014 COIT Bond.

Commissioner Jeff Wolfe made a motion to approve the Affidavit of Payment for USI Consultant.

Commissioner Marc Applegate seconded the motion. Motion carried 2-0.

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 Marc Applegate seconded the motion. Motion carried 2-0.

In the Matter of Mail

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

Attorney Bob Clutter wanted to bring to the Commissioners attention the following:

- Response to Formal Complaint 18-FC-124 – Bob Clutter, TCMS&C, P.C.
- Response to the Audit of Boone Co for FY 2017 by IN SBoA – Bob Clutter, TCMS&C, P.C.
- Response to Jurisdiction of John Bart Road – Bob Clutter, TCMS&C, P.C.

With no further business, Commissioner Jeff Wolfe made a motion to adjourn at 9:57 am.

Commissioner Marc Applegate seconded the motion. Motion carried 2-0.