

Boone County Board of Commissioners Minutes
November 5, 2018
Connie Lamar Meeting Room
Boone County Government Building

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

Commissioners Absent:

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

Board President Marc Applegate opened the meeting at 9:02 am with the pledge of allegiance.

Approval of Minutes for October 25, 2018 (Regular Meeting):

Commissioner Jeff Wolfe made a motion to approve the minutes for the October 25, 2018 meeting.

Commissioner Marc Applegate seconded the motion. Motion carried 3-0.

In the Matter of Legal Issues:

Attorney Bob Clutter presented the following items:

1. The approval of Dual Obligee Rider, adding Boone County to a bond that was previously issued on behalf of Duke Reality as the Principal for various improvements at Allpoints at Anson. The amount of the bond is \$415,144.25.

Commissioner Jeff Wolfe made a motion to approve the Dual Obligee Rider.

Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

2. Received an order that was signed on October 23, 2018, by Judge Kincaid from Boone County Superior Court 1 regarding the Electro-Chem. The Attorney for Vulte Real Estate LLC had filed a motion to acquire a title on the Electro-Chem parcels, which would be removing the outstanding tax liabilities and transfer the title Vulte Real Estate. The order has been forwarded to the Auditor and Treasurer's Office.
3. Notice of surety bond renewals for Elected Officials from RLI has been received. Two changes need to be made, Marc Applegate should be changed to the new successor pending the election and, Todd Myers should be changed to the Kent Eastwood as County Prosecutor.

Commissioner Jeff Wolfe made a motion to approve the renewal of the bonds subject to the changes pending tomorrows election. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

4. The Auditor has requested the Commissioners to authorize one of the board members to review and approve the December 28, 2018 claims cycle outside of a regularly scheduled meeting.

Commissioner Donnie Lawson made a motion to authorize Jeff Wolfe to review and approve December 28, 2018 claim cycle. Commissioner Marc Applegate seconded the motion. Motion carried 3-0.

In the Matter of Update of Lebanon Downtown Construction – Kevin Krulik:

Kevin Krulik, City of Lebanon, wanted to give an update on the progress of the downtown project. He provided the Commissioners an Agenda with a map for review. [Appendix 4] They are nearing the completion of phase 2 on Meridian Street. Everything south of the yellow line at the intersection of Meridian Street and Washington Street will be opened hopefully by Wednesday, weather permitting. The Washington Street intersection should be completely open within a week immediately after. The phase 3 water main has already been completed. What is left to do there is tying in water services. December 4th is the proposed deadline for all of phase 3. State Road 32 and State Road 39 intersection updates are hoped to be wrapped up in phase 3 with intersection updates, with the exception of the traffic signal poles. The new poles are scheduled to be

delivered by the manufacturer around December 15th. The water main has been installed in the old tunnel that goes between the old jail and the courthouse like it is today. They will need to go into the tunnel one more time to connect the water main to water service lateral to the courthouse. Knights of Pythias Hall building has a basement that goes out about 5 feet under the sidewalk. The City brought in a structural engineer to evaluate the building and work through some preliminary options on how to support the building and sidewalk. Courthouse security updates will include bollards that will go in on the east side of Meridian that will protect the walkway up to the courthouse. There will also be bollards put into the ADA Ramp Modifications on the southside. There will be a change order to add bollards to the north and west side of the courthouse. Also, happy to report from a seismic standpoint there has been no significant vibrations that would warrant any concern for damage to the courthouse or other structures on the courthouse square. Bids were opened on the next phase of the project for West Main Street on Friday.

Attorney Bob Clutter asked if the south entrance ramp approved by the Lebanon Historic Preservation Commissioner. It was indicated that it had been approved. It was also asked that if some of the unfinished work outside of KeyBank would be completed after the traffic signal poles have been delivered. It was announced that INDOT had changed the City's plan to what was acceptable to them. The work will be completed once the poles have been installed.

Craig Parks, County Engineer and Director of Highway Department also wanted to comment that Kevin and Matt been great to work with. They have been very responsive and flexible to meet the county needs.

In the Matter of Veteran's Day Service 2018 – Mike Spidel:

Mike Spidel, Veteran's Officer, presented the request to use the courthouse rotunda on Tuesday, November 13th at 10am for the Veteran's Day Service. He also wanted to invite everyone to attend the service conjunction with the YMCA Veteran's Day breakfast at 8am on Friday, November 9th.

Commissioner Donnie Lawson made a motion to approve the request to use the courthouse rotunda on Tuesday, November 13th at 10am for the Veteran's Day Service. Commissioner Jeff Wolfe seconded the motion. Motion carried 3-0.

In the Matter of ADA Ramp Modifications Bid Analysis and Recommendation – DLZ:

John Kirk, DLZ Architect, presented the recommendation to accept the 3D-Pro Contracting for the ADA Ramp Modifications – South Entry Door Improvements bid in the amount of \$58,200.00. These are custom doors with auto operators, not standard, hints to why the price is where it's at. The price of the bid does not include the painting of the doors.

Commissioner Jeff Wolfe made a motion to accept the bid from 3D-Pro. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

In the Matter of Digital Reel Hosted Application – Imaging Office Systems, Inc. / Jessica Fouts:

Sean Horan, IT Support, addressed that a Clerk prior to Jessica Fouts had signed a contract with Digital Reel to convert the older books into electronic format. There was never any ongoing maintenance set up with the company. It was a one-time deal. The problem the Clerk's Office is running into now is that the application they are on is no longer supportable. They are required to upgrade to a new version. There are two scenarios for the new version. The Clerk's Office could stay on something similar that they are on now, or upgrade to a Cloud base environment with 1 terabyte of data. IT support is recommending the Cloud base environment. The benefit of them going on the hosted solution is if we maintain the subscription with them all upgrades will be included which is not the case with the other version.

Sean was unsure where the funds were coming from to pay for the services. His only concern was with the waiting is that the Clerk's Office is completely down right now and unable to provide the public documents.

Commissioner Jeff Wolfe made a motion to approve the contract with Imaging Office Systems contingent upon the Clerk having funds available. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

In the Matter of Appointment of Dick Milam to the Lebanon Library Board:

Beau Cunyningham, Director of Lebanon Public Library, emailed the Commissioners requesting them to re-appoint Richard "Dick" Milam to the Lebanon Public Library Board of Trustees. His term will begin December 31, 2018 and expire December 31, 2022.

Commissioner Jeff Wolfe made a motion to re-appoint Richard "Dick" Milam to the Lebanon Public Library Board of Trustees. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

In the Matter of Commissioners 2019 Meeting Calendar:

The Boone County Board of Commissioners has scheduled public meetings every first and third Mondays of the month in the Connie Lamar Room in the Boone County Annex. If the scheduled meeting lands on a scheduled holiday, the meeting will be held the following Tuesday. [Appendix 5]

Commissioner Donnie Lawson made a motion to approve the 2019 Meeting Calendar. Commissioner Jeff Wolfe seconded the motion. Motion carried 3-0.

In the matter of Old Business:

Commissioner Jeff Wolfe presented the awarded vendor for the RFP of Electronic Bill Payment Presentment Services with some comments.

"Over a couple of months, the review committee met several times regarding the online payment portal for the County's new website. The Commissioners received responses for the RFP and formed a committee to review those responses. The committee was composed of several officeholders and/or their designees which will be affected by this decision. The committee met several times and spent several hours in reviewing of both, the responses received and personal interviews with a short list of vendors who were felt to be the best for the needs of the County. These interviews were very comprehensive with a long list of questions and expectations from the panel. It is important to mention those individuals who committed time to this process and thank them for their diligent work with the committee. **Office Holders:** Sheriff, Michael Nielson – Treasurer, Debbie Ottinger – Surveyor, Ken Hedge – Recorder, Nikki Baldwin **Staff Members:** Vickie Foster, Health Department – Nick Parr and Lori Rapp, Highway Department – Brittany Hicks, Sheriff's Office **Members of GUTS Team:** Eric Goodnight, Sean Horan, and Grant Goodnight

A special thanks are given to Eric Goodnight, GUTS and Kaylee Jessie, Commissioners Assistant for assisting the committee with going through all the RFPs and preparing a very nice summary for the committee to review and use in the interview process.

The committee has agreed on a recommendation to the Commissioner Board to select Invoice Cloud as the sole vendor moving forward. It is our intent to make the changes necessary to implement this plan as soon as possible. Once we have made a final selection here today, myself along with some members of the team will conduct final negotiations with Invoice Cloud to create an agreement to be presented to the Commissioners at a later date."

The Sheriff's Department will not switch to Invoice Cloud at this time. There are reasons why Invoice Cloud is not particularly ready to do what the Sheriff Department needs. This will be looked at over the next year or so with Invoice Cloud to possibly do the switch at a later date.

Debbie Ottinger, Treasurer, also wanted to comment on this and thank the Commissioners for the processes they went through to select a vendor.

Commissioner Jeff Wolfe made a motion to select Invoice Cloud as our electronic bill payment vendor. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

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

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

1. A Construction of Right-of-Way Permit was received from CSX **after** the company had already cut the road. CSX originally submitted only a Road Closure Permit. Boone County Highway Department requested that the company also submits a Construction of Right-of-Way Permit. The company has already closed and reopened two of the proposed intersections. There are 2 to 3-inch saw cuts at the other proposed intersections that the company has decided to no longer complete the project. Craig wants to know if we should still request a bond for the other infrastructures that have been damaged or only have them pay for the fines for the closures without active permits. Commissioner Marc Applegate advised that the county still requests for the bond.
2. Recommendation to apply for federal funds to replace structure 192 on CR 300S and plan for future expansion of CR 300S. The call for this project is out and the expected due date is early December. This structure is eligible for MPO or INDOT Group IV funds. Total cost is between \$545,000.00 and \$1,100,000.00 depending on how much the County decides to widen CR 300S for future use. Craig would recommend that the County applies for INDOT Group IV funds.

Commissioner Jeff Wolfe made a motion to approve the submission of the application for funds for this bridge. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

3. The request to release the Performance Bond from Calumet Civil Contractors and acceptance of Warranty Bonds for Project 2018-01, Structural HMA Resurfacing in Various Townships.

Commissioner Jeff Wolfe made a motion to approve the release of the Performance Bond and acceptance of Warranty Bonds. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

4. The request to release six different permit bonds from Frontier Communications over the past year. The work has been completed and approved by the Highway Department.

Commissioner Jeff Wolfe made a motion to approve the release of the six different permit bonds. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

5. Request of out of state travel to Savannah, Georgia to attend FHWA Local Road Safety Plan Development, Pilot Project. Federal Highway will reimbursement Craig all the expenses to fly to Georgia and the cost of the hotel for the workshops. Additionally, Craig requested to stay one additional day to attend the National Association of County Engineers Rural Road Safety Summit at the

County's expense, paying the same rate for the hotel and additionally cover the \$235 registration cost for the summit.

<https://www.youtube.com/watch?v=Wzdm798MoI8> - A video that Federal Highway has released regarding local road safety plans that was played during the meeting.

Commissioner Donnie Lawson made a motion to approve to approve the expenses.

Commissioner Jeff Wolfe seconded the motion. Motion carried 3-0.

6. Attorney Bob Clutter wanted to bring to the Commissioners attention that he was forwarded and an email originally from the Mayor of Lebanon to a County Councilor, expressing some concern of the Elmwood Bridge. In the email, he states that the County Engineer and County Attorney don't think it's a priority to replace the bridge, which is not the case. The bridge is a privately-owned structure that is not in the county's inventory. Craig mentioned that the Elmwood Community came to him a couple years ago. He informed them that they could come to the Commissioners and request them to adopt the streets into the county inventory. However, he would not be in favor of doing it because they have this private bridge that has not been undergoing biannual inspections and has not been part of the county's inventory. There have been no repairs made to the structure. The Highway Department would accept the bridge if it has been brought up to current standards, per a GAI study is a full replacement in the amount of half a million dollars. It would then be in the biannual cycle of inspections upon the Commissioners adoption of the structure. Attorney Bob Clutter has responded to the Councilor that if the city wants to expend their funds to bring the bridge up to county and INDOT standards, then the County Commissioners would consider adopting the bridge into the inventory.

Other Elected Officials:

Elise Nieshalla, County Councilor, wanted to announce that they had a great Trail Summit meeting. The room was filled with elected officials, parks directors, and others from across the county. There were some definitive decisions were able to be made because those who needed to help with those decisions were present at the meeting. For example, the mile marker system. It's going to start at zero miles starting at the trail in Zionsville and go on up. The width of the trail it will be 10 feet in urban areas and rural areas will be 12 feet. HWC will present four possible routes with the pros and cons of each of them at the summit meeting scheduled for Tuesday, November 13th.

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:
 - Belinda Wireman for the Probation Office, Clerical
 - Brandon George for the Probation Office, Aftercare Counselor
 - Jennifer Shores for the Probation Office, Aftercare Counselor
 - Jonathan Mangano for the Probation Office, Domestic Violence Counselor
 - Ron Gardner for the Probation Office, Sex Offenders Counselor
 - Lindsey Smith for the Probation Office, P.O.
 - Denise Schoeff for Circuit Court, JDAI Coordinator
 - Jake Kammerer for the Probation Office, Field Officer

Commissioner Donnie Lawson made a motion to approve the Key Request forms.

Commissioner Jeff Wolfe 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 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 Donnie Lawson made a motion to adjourn at 10:29 am.
Commissioner Jeff Wolfe seconded the motion. Motion carried 3-0.