

Boone County Board of Commissioners Minutes
April 15, 2019
Connie Lamar Meeting Room
Boone County Government Building

Commissioners Present: Jeff Wolfe, Donnie Lawson, and Tom Santelli

Commissioners Absent:

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

Board President Jeff Wolfe opened the meeting at 9:19 am.

Approval of Minutes for April 1, 2019 (Regular Meeting):

Commissioner Tom Santelli made a motion to approve the minutes for the April 1, 2019 meeting. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

In the Matter of Legal Issues:

Attorney Bob Clutter presented the following item:

1. Performance Bonds for Harvest Park Section 5 for acceptance.
 - Storm Sewer in the amount of \$327,471.65
 - Rear Swale SSD in the amount of \$25,707.00
 - Erosion Control in the amount of \$97,332.95

Commissioner Donnie Lawson made a motion to accept the Performance Bonds.

Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

In the Matter of Proposed Landscaping Plan Around Highway Department's New Sign – Christopher

Parker: Christopher Parker presented his proposed landscaping plan for around the Boone County Highway Department as his Eagle Scout Project. He has worked with Salsbery Brothers Landscaping, Inc. on the design of the layout, picking out the assortment of plants, and the cost of materials. (Appendix #2)

Commissioner Tom Santelli made a motion to approve the landscaping plan.

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

In the Matter of Interlocal Agreement with Lebanon for Planning:

Ben Bontrager, Director of Planning for the City of Lebanon, presented the Interlocal Agreement with the City of Lebanon for planning. There is a piece of property of about 24 acres on the northwest part of the community that is currently under Boone County's jurisdiction. During the fall of 2018, there was a petition for annexation filed, and the adoption process was completed in December of 2018. Due to the 30-day waiting period, the annexation would have not been finalized until January of 2019, which happens to be the year before a census. Since there cannot be any annexations be effective the year before a census, the effective date would then become January 1, 2020. The City of Lebanon currently has a petitioner who would like to develop the property. The purposed interlocal agreement is for the Commissioners to transfer only the planning jurisdiction to the City of Lebanon effective the day of signing the agreement until the year 2020 when the City of Lebanon would then have full jurisdiction over the property.

Commissioner Tom Santelli made a motion to approve the Interlocal Agreement subject to receiving a clean copy presented to the Commissioners for signatures. The copy that was received is an exhibit attached to a resolution the City of Lebanon recently adopted. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

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 / Brett Peppin
- e. Highway Department – Craig Parks

Sean Horan, IT Support presented the following items:

1. Last Monday morning around 2am there was a storm in the Lebanon area, and it is believed there was a lightening strike near the courthouse. There were several pieces of equipment that were fried throughout the courthouse. Most of the equipment has since then been replaced and are now up and running. A claim was also filed with the insurance company for the damages.

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

1. Construction in Right-of-Way Permit (#201910001) for REMC to modify the original permit that has been approved, removing all single phase work. Work will be permitted separately as work is planned at various locations.

Commissioner Donnie Lawson made a motion to approve the Right-of-Way Permit for REMC.

Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

2. Construction in Right-of-Way Permit (#201910008) for Newby Excavating crossing a gravel road at 10510 W 650N to install a tile. There is no bond required.

Commissioner Tom Santelli made a motion to approve the Right-of-Way Permit for Newby Excavating.

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

3. Construction in Right-of-Way Permit (#201910009) for Boone REMC for 500 feet of underground linear construction at CR 500S between CR 500W and Grassy Road.

Commissioner Tom Santelli made a motion to approve the Right-of-Way Permit for Boone REMC.

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

4. Construction in Right-of-Way Permit (#2019100010) for Sunbrook Development, LLC to do an open road cut (14' length x 22' wide) at CR 250N approximately 650 feet east of Witt Road for a sanitary sewer. The closure will be for two days. This project requires a bond in the amount of \$20,000.

Commissioner Donnie Lawson made a motion to approve the Right-of-Way Permit for Sunbrook Development, LLC. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

5. Construction in Right-of-Way Permit (#201910011) for Boone REMC for 42,630 feet of new pole installation at various locations in the northeast portion of the county. The Boone County Highway Department recommends conditional approval because they have not specified the exact pole locations, and the department wants a chance to inspect those locations before they begin the installation.

Commissioner Donnie Lawson made a motion to approve the Right-of-Way Permit for Boone REMC under the condition of Boone REMC providing the specific pole locations to the Boone County Highway Department for their approval. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

6. Construction in Right-of-Way Permit (#2019100012) for Boone County Surveyor's Office to open cut gravel road to install a tile at CR 400W approximately 650 feet south of CR 50S. There is no bond required.

Commissioner Tom Santelli made a motion to approve the Right-of-Way Permit for Boone County Surveyor's Office. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

7. Construction in Right-of-Way Permit (#2019100013) for Boone REMC for 6,585 feet of new pole installation at CR 650W and 700W between CR 200S and CR 300S. The Boone County Highway Department recommends approval conditional on the approval of the pole locations on each roadway prior to construction.

Commissioner Tom Santelli made a motion to approve the Right-of-Way Permit for Boone REMC conditional on the Boone County Highway Department's approval of the pole locations. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

8. Road Closure Permit (#201930002) for Newby Excavating at the location of CR650N between SR 47 and 1100W on April 17, 2019. The closure will be short term for only a couple of hours.

Commissioner Tom Santelli made a motion to approve the Road Closure Permit for Newby Excavating. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

9. Road Closure Permit (#201930003) for Sunbrook Development, LLC at the location of CR 250 between Witt Road and SR 39 beginning on August 19, 2019 to August 21, 2019. The Boone County Highway Department recommends approval conditional that they coordinate with the department as the date approaches.

Commissioner Tom Santelli made a motion to approve the Road Closure Permit conditional that they coordinate with the Boone County Highway Department. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

10. Road Closure Permit (#201930004) for the Boone County Surveyor's Office at location CR 400W between 50S and 100S on April 16, 2019. The closure is for 3-4 hours.

Commissioner Tom Santelli made a motion to approve the Road Closure Permit for the Boone County Surveyor's Office. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

11. A watershed study contract with Christopher B. Burke Engineering, LLC for two culverts on 1200E, just south of SR 47, for approval and execution. The contract is in the amount of \$3,850.

Commissioner Tom Santelli made a motion to approve the watershed study contract with Christopher B. Burke Engineering, LLC. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

12. The Boone County Highway Department's 2018 Annual Highway Operations Report for approval. Commissioner Donnie Lawson made a motion to approve the Boone County Highway Department's 2018 Annual Highway Operations Report. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

13. Bonds to be released for Vonterra Section 3 to the Town of Zionsville. This work is located within one of the areas that became part of Zionsville's urbanized area in January of 2019. The bonds are currently under Boone County since the construction started prior to January and it was under the County's jurisdiction. By releasing the bonds, this will provide Zionsville the authority to accept the maintenance bonds when the subdivision is ready for acceptance.

Commissioner Tom Santelli made a motion to approve the release of the bonds for Vonterra Section 3 to the Town of Zionsville. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

14. A recommendation to award the contract to E&B Paving for Project 2018-05, West 96th Street Curve Correction. Their bid of \$314,599 was the lowest, responsible, responsive bid. CMT has reviewed the bid and have not found any significant issues with the unit prices.

Commissioner Tom Santelli made a motion to approve the award of contract to E&B Paving.

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

15. INDOT LPA / Consultant Agreement with USI Consultant Inc. for Construction Inspection services in the amount of \$195,000 for Project 2016-05, Rehabilitation of Bridge #202. INDOT has reviewed the contract, fee, and supporting documents provided by USI and believe they are appropriate. The cost is less than the programmed amount in the Indianapolis MPO's Transportation Improvement Plan.

Commissioner Donnie Lawson made a motion to approve the INDOT LPA/Consultant Agreement.

Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

Other Elected Officials:

1. Debbie Ottinger, Boone County Treasurer, wanted to let the Commissioners know that the transition with Invoice Cloud for credit card payments has been completed. Working with them has been great. She also wanted to let everyone know that taxes went out on Friday.

2. Mike Miller, Facilities Manager, wanted to provide the Commissioners with an update on the equipment being repaired / replaced for the damages from the storm that hit last Monday. He also provided an update on the waterproofing project at the Annex Building in the basement. Lastly, he presented the proposed window treatments for the first floor of the KeyBank building that was received from the new Regional Facilities Manager for KeyBank.

Commissioner Tom Santelli made a motion to approve the window treatments for KeyBank.

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

In the Matter of Public Comments:

There was none at this time.

In the Matter of Claims presented in today's meeting

See **(Appendix #3)**

Commissioner Tom Santelli 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 #4)** for a list of mail opened by the Commissioners on this date.

Bob Clutter, County Attorney, wanted to bring to the Commissioners attention two items in the mail.

1. Notice of Tort Claim for Tyler Rose received from Ken Nunn Law Office
2. Notice to update county ordinance received from American Legal Publishing

With no further business, Commissioner Tom Santelli made a motion to adjourn at 10:03 am.

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