

Boone County Board of Commissioners Minutes
May 20, 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 9:35 am.

Approval of Minutes for May 6, 2019 (Regular Meeting):

Commissioner Donnie Lawson made a motion to approve the minutes for the May 6, 2019 meeting.

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

In the Matter of Legal Issues:

Attorney Bob Clutter presented the following item:

1. Performance Bonds for Westwood Landing Section 3 for acceptance.
 - a. Erosion Control in the amount of \$25,465.00
 - b. Storm Drains in the amount of \$171,325.00

Commissioner Tom Santelli made a motion to approve the performance bonds.

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

2. A contract with Jaco for the waterproofing of the basement in the Annex Building. The contract is in the amount of \$5,910.

Commissioner Tom Santelli made a motion to approve the contract with Jaco subject to Attorney Bob Clutter's minor changes. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

3. A contract with Security Pros for the Elks Building due to the changes made in the basement. Security Pros will be relocating one card reader, adding another card reader, adding an intercom, and a camera. The contract is in the amount of \$5,312.30.

Commissioner Donnie Lawson made a motion to approve the contract with Security Pros subject to Attorney Bob Clutter's review and any changes. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

In the Matter of INDOT 5311 Grant for 2020 – Anita Bowen:

Anita Bowen, Executive Director Boone County Senior Services, presented the INDOT 5311 Grant application for the year 2020. The Boone Area Transit System provides public transportation for people of all ages, and the trend continues to increase. A copy of the 2018 Annual Report was provided for each of the Commissioners for their review. The total amount for the grant application is in the amount of \$701,933. They are estimating \$247,625 in federal funds, \$82,474 in state funds, and the remainder of the funds will be raised locally.

Commissioner Tom Santelli asked how many vehicles the county has for the Boone Area Transit System. Anita Bowen stated that there are currently twenty-three (23) vehicles and about eighteen (18) drivers. There have been several drivers that have retired or left due to health reasons. They continue to allow having somebody to do a ride along to see if it might be interested in driving. The driving position is part-time with pay, flexible hours Monday through Friday. However, in their 5-year plan, they would like to see their hours expand into the evening.

Commissioner Tom Santelli asked Anita Bowen about what percentage of the needs for transportation are being met. Anita stated that it is hard to tell because there are probably several people who do not call for transportation due to needing a ride after normal business hours. If you were to look at hours that are being offered now, she would guess around 75% to 80%. They receive a lot of request from individuals that receive Medicaid, and they must go through a third-party vendor called Southeast Trans, but they are not able to meet the demand for these individuals. Last year there were roughly three hundred (300) denials on the list just for Medicaid. Commissioner Jeff Wolfe asked that those who receive Medicaid must pay a third-party to schedule with The Boone Area Transit System for the little amount of money that is being charged? Anita Bowen stated that the state of Indiana contracted with a company out of Atlanta, Georgia called Southeast Trans as of June 1, 2018. In order for those individuals on Medicaid to make an appointment, they must go through Southeast Trans, and some of those appointments are being dropped due to the call center not relaying information. Commissioner Jeff Wolfe commented that this process doesn't seem to be working very well, and asked has the organization has taken a position that the Commissioners could help carry to their legislators for them? Anita Bowen stated that they have been working with INDOT to have a liaison that can be in the position to provide feedback to the legislators and do it collectively for all the public transit organizations.

Commissioner Tom Santelli made a motion to adopt the 2018 Annual Report for Boone County Senior Services Inc. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

Bob Clutter, County Attorney, presented the Authorizing Resolution 2019-01 a resolution authorizing the filing of an application for a grant under Section 5311 of the Federal Transit Act. Bob Clutter read the resolution aloud in pertinent parts pursuant to state law.

Commissioner Tom Santelli made a motion to approve Resolution 2019-01 and authorizing Commissioner Jeff Wolfe to sign the applicable documents. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

Sean Horan, IT Support, commented that this might be the perfect opportunity to get information out to the public by adding information about the program and job listings on the county website. The Commissioners agreed that this would be an excellent idea.

Heather Myers, County Auditor, asked if the debarment certificate needs to be done every year? Bob Clutter, County Attorney, stated that he believes the State Board of Accounts wants debarment certificate signed every year. Heather Myers stated that she bring it to the next meeting.

In the Matter of Abatement Request – Molly Whitehead:

Molly Whitehead, Boone Economic Development Corporation, presented six (6) real property tax abatement request. Duke Realty/Browning Investments are considering the construction of the six new spec buildings located at All Points at Anson in Whitestown. Please see the master site plan (Attachment #2) to see the proposed buildings that are colored in orange. Users have not been identified, so this will be on a speculative basis. The benefit of doing this now is that when Boone EDC, Duke, and Browning goes out to sell the region by having the plan commission approvals and abatements in place gives them a big advantage being able to move forward quickly when they do identify users for the space. What they are recommending for the Commissioners approval is for each of the buildings to have a 10-year traditional real property tax abatement. This is comparable to what has been provided in the past for other buildings. This request was presented to the Boone County Redevelopment Commission on Friday, May 17th, and received their favorable approval. It will also go before the Whitestown Redevelopment Commission and Whitestown Town Council during their June meetings.

Commissioner Tom Santelli asked how can we ensure that these buildings are taking advantage of energy and environmental design standards? Molly Whitehead stated that in the terms of the energy efficiency that would be up to the building owners to proceed with any energy efficiency improvements that they would like to make. Being a private business, she would think they would be interested in doing that to save as much money as possible. They also arrange meetings with Boone REMC Services to meet with the business owners to help them out with upgrades and rebates that might be available to them. Kate Ems, Duke Realty, stated that she does not have an answer on how to require developers to exceed the minimum code standards, but can speak on what Browning and Duke are doing in the All Points at Anson business park, including features such as the architectural standards they have and amenities for occupants to enjoy. On the environmental standpoint, the buildings do have insulated precast walls, insulation on top of the roof, and energy efficient light fixtures. For buildings two and four, they did energy rotation units for the heating, and they received some incentives. This then drives the market to be energy efficient when being compared to other available buildings.

Commissioner Tom Santelli made a motion to approve the 10-year traditional real property tax abatement for the six spec buildings submitted. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

In the Matter of Ordinance 2019-04 Rezoning Property and Changing the Zoning Maps of Boone County, Indiana:

Bob Clutter, County Attorney, presented Ordinance 2019-04 based upon the recommendation from the Area Plan Commission. The petitioner, Jennifer Glore, is seeking to rezone the property she bought of 70.33 acres from "R-2" Single-Family Residential Zoning Classification to General Agricultural Zoning Classification. The purpose of the zoning map amendment changes is so she can operate a Small Kennel Operation. That request will go before the Board of Zoning Appeals at their upcoming May meeting. Bob Clutter read the ordinance aloud in pertinent parts pursuant to state law.

Michael Andreoli, Zionsville Resident, stated that this comes to the Commissioners with substantial community support. Before Dr. Glore decided to get involved in this particular project, she held a community meeting, and then followed up with individual meetings with the affect landowners in the area. She will be making three commitments that will be included in the request for a special exception to heard by the Board of Zoning Appeals. Those three commitments are the following: 1) No more than twenty-five (25) dogs will be kept at the property. 2) She will not board for a fee otherwise her own animals. 3) This application will be specific to her use. If she were to sell the property to an unrelated entity, that special exception will then be removed.

Rachel Cardis, Area Plan Director, stated that this will be held before the BZA on May 22, 2019, for the special exception approval. It will then have a subsequent development plan approval on June 5, 2019. After June 5th, they would then be able to construct the facility upon approval.

Commissioner Tom Santelli made a motion to approve Ordinance 2019-04 Rezoning Property and Changing the Zoning Maps of Boone County, Indiana. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

In the Matter of Request for Staff to Travel Out of State – Cindy Murphy:

Cindy Murphy, Nursing and Vital Records Director, presented the request allowing two staff members to travel out of state for national conferences. These are two different events, both of which expenses are covered by grant dollars. The first event is the week of July 7th through July 12th for the Environmental Health Director to attend the National Environmental Health Association Conference in Nashville, Tennessee. This request also includes taking a county vehicle out of state for transportation to the conference. The second conference is August 26th through August 29th for the Tobacco Educator to attend the National Tobacco Conference in Minneapolis, Minnesota. This individual will travel by plane.

Commissioner Donnie Lawson made a motion to approve the request to travel out of state for conferences. Commissioner Tom Santelli 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

Cindy Murphy, Nursing and Vital Records Director, presented the following item:

1. The request to close the Health Department offices on July 17, 2019 for a preparedness event. Vaccinations will be given to their community partners at this closed event. This includes all Emergency Support Function 8 Health and Medical Partners: mental health, law enforcement, EMS, hospitals, and school administration/nurses.

Commissioner Tom Santelli made a motion to approve the request to close the Health Department offices on July 17, 2019. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

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

1. Construction in Right of Way Permit (#201910017) for Boone County REMC on CR 450N between 450N and SR 47 for 500 feet of underground construction/boring. This permit is included in their annual blanket bond.

Commissioner Tom Santelli made a motion to approve the construction in right of way permit (#201910017) for Boone County REMC. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

2. Construction in Right of Way Permit (#201910019) for Wabash Valley Power at northwest corner of CR 200S and Middle Jamestown Road. They will be grading in right of way at corner of Middle Jamestown Road and CR 200S and access to off-site storm sewer installation behind CR 200S right of way. Total length is 2,545 feet.

Commissioner Tom Santelli made a motion to approve the construction in right of way permit (#201910019) for Wabash Valley Power. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

3. Construction in Right of Way Permit (#201910020) for the Boone County Surveyor's Office to open road cut at CR 300W south between 50S and 150S.

Commissioner Donnie Lawson made a motion to approve the construction in right of way permit (#201910020) for Boone County Surveyor's Office. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

4. Road Closure Permit (#201930005) for the Boone County Surveyor's Office at CR 300W between 50S and 150S on May 21, 2019.

Commissioner Donnie Lawson made a motion to approve the road closure permit (#201930005) for the Boone County Surveyor's Office. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

5. Two property owners have agreed to donate right of way for Project 2018-06, Bridge #161, CR 600S over Grassy Branch to reconstruct the structure. They have signed the dedication documents and

quitclaim deed. Craig Parks would like to publicly thank Jim Bush and Rusty Solomon for their partnership and request a letter to be prepared and sent with the returned documents. Commissioner Tom Santelli made a motion to approve the thank you letter. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

6. Request authority to sign credit applications for the following vendors upon Bob Clutter's review of the documents.
 - a. W.W. Williams Equipment
 - b. Reprographix
 - c. Bill Estes Automotive

Commissioner Donnie Lawson made a motion to approve Craig Parks having authority to sign the credit applications listed subject to Bob Clutter's review. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

7. A quote from Conexco, Inc. for repairs to bridge #100 due to a critical finding on the footings and end bents inspection. Cost of repair is \$14,500 plus cost of flowable backfill at \$105/cubic yard and a concrete pump. Riprap will be delivered on site by the Boone County Highway Department
Commissioner Tom Santelli made a motion to approve the quote provided by Conexco, Inc for bridge repairs. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

8. A letter proposal from Context Design for the design of landscaping around the Boone County Courthouse in the amount of \$14,800. This design does include lighting with the landscaping.
Commissioner Donnie Lawson made a motion to approve the letter proposal from Context Design. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

Other Elected Officials:

There was none at this time.

In the Matter of Public Comments:

There was none at this time.

In the Matter of Claims presented in today's meeting

See **(Appendix #2)**

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

- Bob Clutter, County Attorney, brought the Commissioners attention towards an email that was received on Friday, May 17th from Shannon Metzger requesting to transplant the peonies from the former Maple View Home to her property. In her email, she provided a back history to when the peonies were planted after the Palm Sunday tornadoes and her connection. Mike Miller stated that he had no issues with that. Commissioner Donnie Lawson stated that he does believe it would be a great thing for her to have those with her connection to them, but he would like to go out and look at where they are located at first. It was requested to take this under advisement until the June 3rd meeting.

With no further business, Commissioner Tom Santelli made a motion to adjourn at 10:45 am. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.