

Boone County Board of Commissioners Minutes
November 18, 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 9:08 am.

Approval of Minutes for November 4, 2019 (Regular Meeting):

Commissioner Tom Santelli made a motion to approve the minutes for the November 4, 2019 meeting. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

In the Matter of Legal Issues:

Attorney Bob Clutter presented the following items:

1. JDAI Grant Agreement with Boone County Sheriff's Office for the Unity in Community project. The Commissioners previously approved the agreement and the document is being presented at today's meeting for signature.
2. An additional cellphone request to be added to the County's plan for the Commissioners Assistant. Commissioner Donnie Lawson made a motion to approve the additional cellphone request for the Commissioners Assistant. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.
3. Bonds for Harvest Park Section 5
 - a. The release of Performance Bonds for Harvest Park Section 5.
 - Erosion Control in the amount of \$97,332.95
 - Storm Sewer in the amount of \$327,471.65
 - Rear Swale SSD in the amount of \$25,707.00
 - TOTAL: \$450,511.60**
 - b. The acceptance of Maintenance Bonds for Harvest Park Section 5.
 - Erosion Control in the amount of \$22,121.13
 - Storm Sewer in the amount of \$74,425.38
 - Rear Swale SSD in the amount of \$5,842.50
 - TOTAL: \$102,389.01**

Commissioner Donnie Lawson made a motion to approve the release of Performance Bonds and the acceptance on Maintenance Bonds for Harvest Park Section 5. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

4. A contract for legal representation with Whitsitt & Nooning representing the Auditor of Boone County with an effective date of June 18, 2019. The hourly rate is one hundred seventy-five dollars (\$175.00).

Contract denied for lack of a motion to approve.

In the Matter of Request to Accept USDA Funds for New Life Recovery Center:

Executive Director Martin Berg and CPA Tim Tickle of New Life Recovery Center were present at today's meeting to introduce the facility, services that are offered in the program, and discuss a business proposal for future expansion. See **(Appendix #2)** for PowerPoint Presentation. The building that New Life Recovery Center is currently located has recently sold, forcing them to relocate. The Quality Inn in Lebanon has been identified as the facility's first choice for space, as it would require very little modifications to be an operating facility. The proposed facility also allows room for growth. New Life Recovery presented the request for Boone County Commissioners to be the recipients of the USDA loan that would purchase the Quality Inn facility and lease it to New Life Recovery. In addition to that, the facility would also like to begin initiating a capital fundraising campaign that will assist with the cost of completing the application process. Martin Berg and Tim Tickle will be putting together a full business plan, financials, and five-year operating plan for projections for the Commissioners to review before making a decision.

In the Matter of County Holiday Schedule for 2020:

Commissioner Tom Santelli made a motion to approve the Holiday Schedule for 2020 as submitted. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

In the Matter of Commissioners Meeting Dates for 2020:

Commissioner Jeff Wolfe proposed keeping the current schedule of conducting regular public meetings on the first and third Monday of each month, beginning at 9:00am. If those dates are a recognized holiday or the County offices are closed due to an emergency, the Commissioners will conduct their public meeting the following Tuesday.

Commissioner Tom Santelli made a motion to approve the Commissioners meeting dates for 2020. 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

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

1. Construction in right of way permit (#201910045) for Rodney Johnson at CR 200E near Herr Elevator for boring under 200E and approximately 200ft bore in ditch line along the east side of road. The bond is in the amount of \$15,000. Boone County Highway Department recommends approval.
Commissioner Tom Santelli made a motion to approve construction in right of way permit (#201910045) for Rodney Johnson. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.
2. Construction in right of way permit (#201910046) for the Boone County Surveyor's Office on CR 1100E, approximately 600ft north of CR 200S for an open road cut. A road closure permit (#201930014) for CR 1100E between SR 32 and CR 200S was also submitted for this project.

Commissioner Tom Santelli made a motion to approve the construction in right of way permit (#201910046) and road closure permit (#201930014) for the Boone County Surveyor's Office. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

3. Construction in right of way permit (#201910047) for Boone REMC on CR 50E from CR 250S to CR 600S for replacement of poles.

Commissioner Tom Santelli made a motion to approve the construction in right of way permit (#201910047) for Boone REMC. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

4. Construction in right of way permit (#201910048) for Vectren Energy at CR 450E and CR 300S. Vectren has already bore under the road and the work has been completed. This is the fourth instance since June of this year where Vectren has performed work in Boone County's right of way without prior notification and obtaining a permit first. The Boone County Highway Department would recommend denying the permit application. A memo was submitted to the Boone County Commissioners outlining the departments recommendations prior to today's meeting. Craig would also recommend issuing citations at the maximum fee for each of the four incidents that were violations of Ordinance 2017-13 and include the additional inspection fee for each.

Robert Hudson, Gas Distribution Engineer III for Vectren, represented Vectren at today's meeting. He was unable to comment on all four incidents that were mentioned due to not being aware of the issue. He proceeded to explain that permitting is handled in different areas throughout Indiana. In some areas, the contractor is responsible for applying for the permit. Commissioner Jeff Wolfe commented that even if the permitting is done differently in another area, everyone should understand that there is a permit, and it's very concerning that no one is even contacting someone to ask the question to see if a permit has been applied for before beginning the work. Robert Hudson proposed scheduling a meeting with superiors above him at Vectren and Boone County to discuss how they can improve the consistency and partnership. The Boone County Commissioners agreed that they would be happy to participate in a meeting.

Commissioner Tom Santelli made a motion to approve Boone County Highway Department's recommendations on issuing a fine in the amount of Two-Thousand Five Hundred Dollars (\$2,500.00) plus an additional Five Hundred Dollars for the inspection fee for each violation, totaling Twelve-Thousand Dollars for the four violations presented at today's meeting. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0. Construction in right of way permit (#201910048) for Vectren Energy has been tabled though the work has already been completed.

5. A standard construction agreement with Duncan Robertson, Inc. in the amount of \$369,478.40 for Project 2018-06 Replacement of Bridge #161, CR 600S over Grassy Branch. This project was awarded at the last Commissioners meeting.

Commissioner Donnie Lawson made a motion to approve the standard construction agreement with Duncan Robertson, Inc. in the amount of \$369,478.40 for Project 2018-06 Replacement of Bridge #161. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

6. Two quotes from Conexco, Inc.
 - a. A quote in the amount of \$36,800 to replace structure and pipe on CR 550E north of CR 850 N, including installation of new inlet and several field tiles.
 - b. A quote in the amount of \$17,500 to install rip rap to provide erosion control on Bridge #41, CR 200E over Sugar Creek

Commissioner Tom Santelli made a motion to approve both quotes from Conexco, Inc. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

7. Professional Services Agreement with GAI Consultants, Inc. for Bridges #174 (CR 125E over Smith Ditch) and #175 (CR 350S over Smith Ditch) Replacement with a total fee not to exceed \$247,700 for both bridges. County Attorney Bob Clutter did have some minor modifications to the contract. Commissioner Donnie Lawson made a motion to approve the Professional Services Agreement with GAI Consultants, Inc. conditional to the acceptance of County Attorney Bob Clutter's modifications. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.
8. Nick Parr, Operations Manager of BCHD, presented two changes orders (#1 & #2) for Grady Brothers, Inc. for Project 2019-06, Asphalt Resurfacing in Various Townships.
 - a. Change Order #1 is a reduction in the amount of -\$37,270.40
 - b. Change Order #2 is in the amount of \$1,290.25 for additional work the Boone County Highway Department requested.

The original contract amount was \$798,720.00 and the new contract price including the two change orders presented today is in the amount of \$762,739.85.

Commissioner Tom Santelli made a motion to approve Change Order #1 for Grady Brothers, Inc. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.
Commissioner Tom Santelli made a motion to approve Change Order #2 for Grady Brothers, Inc. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.

Other Elected Officials:

Commissioner Tom Santelli requested to work with the Auditor's Office and go over the budget status reports.

In the Matter of Public Comments:

There was none at this time.

In the Matter of Document Signing:

1. A key request for Jessie Loughman, Inwell Therapist for Community Corrections. Commissioner Tom Santelli made a motion to approve the key request form for Jessie Loughman. Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.
2. An affidavit for payment in the amount of \$1,200.50 for Butler Fairman & Seufert for the courthouse south walk entrance inspection. Commissioner Donnie Lawson made a motion to approve the affidavit for Butler Fairman & Seufert. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.
3. An affidavit for payment in the amount of \$2,950 for Baker Tilly Municipal Advisors, LLC for professional services provided for Continuing Disclosure Services. Commissioner Donnie Lawson made a motion to approve the affidavit for Baker Tilly Municipal Advisors, LLC. Commissioner Tom Santelli seconded the motion. Motion carried 3-0.

In the Matter of Claims presented in today's meeting

See (Appendix #2)

Commissioner Tom Santelli requested to review a \$600 claim with the Auditor's Office outside of the public meeting.

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.

County Attorney Bob Clutter wanted to bring the Commissioners attention to the letter received from Raymond Ingham regarding board appointments for terms that will expire at the end of this year.

With no further business, Commissioner Tom Santelli made a motion to adjourn at 10:16 am.
Commissioner Donnie Lawson seconded the motion. Motion carried 3-0.