

Boone County Board of Commissioners Minutes
August 3, 2020
Connie Lamar Meeting Room
Boone County Government Building

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

Commissioners Absent:

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

Board President Donald Lawson opened the meeting at 9:02 am with the pledge of allegiance.

Approval of Minutes for July 6, 2020 Meeting, July 9, 2020 Special Meeting, and July 27, 2020

Special Meeting: Commissioner Wolfe made a motion to approve the minutes presented at today's meeting.

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

In the Matter of Legal Issues:

There was none at today's meeting.

In the Matter of Resolution 2020-19 Renewing State of Emergency:

County Attorney Bob Clutter presented the Resolution 2020-19 and read it aloud in pertinent parts pursuant to Indiana State Law. Tom Ryan, Boone County Preparedness Coordinate, provided an update on the number of positive cases within Boone County. Local schools will allow students to attend classes in person as long as the positivity rates for COVID-19 remain 5% or less within the county. Witham Hospital has reported that they have not had any COVID-19 patients in for at least a week, so that is encouraging news. Commissioner Santelli commented that he has been receiving emails as an example Walmart has a mask policy that you must wear one to get in, but then people aren't wearing them in the store. Have you had any experience with that? Tom Ryan replied that business can set policies and ask anyone to leave that's not complying. The health department is doing the best that they can and hoping in good faith people will wear their masks while they are out running errands. The governor has adopted an order mandating masks to be worn and it's up to the community to do what is asked of them to slow the spread of COVID-19. Commissioner Santelli commented that if you go into a place where others are not wearing a mask, your recourse would be to leave. You don't have to participate or be a customer. Lisa Younts, Health Department Administrator, also commented that the health department is also receiving similar complaints and they go out to the locations with every complaint that is received to help provide more education and explain why it's important to mitigate the spread.

Commissioner Wolfe made a motion to approve the Resolution 2020-19 renewing the State of Emergency. Commissioner Santelli seconded the motion. Motion carried 3-0.

In the Matter of Ordinance 2020-05 Amending Boone County Ordinance 2017-05 Relating to Restrictions on Certain Bridges in Boone County:

County Attorney presented Ordinance 2020-05 and read it aloud in pertinent parts pursuant to Indiana State Law. Boone County asked SJCA to inspect and analyze small structures/culverts within the county. They submitted a report with a list of priority replacements and load ratings for 16 small structures/culverts ("Exhibit B" attached to the Ordinance). Craig Parks, County Engineer, commented that of the 16 small structures/culverts that SJCA looked at the load ratings are at 15 tons or less. He will be preparing a letter to send to the school corporations within the county as they will need to modify their routes accordingly because a loaded bus exceeds 15 tons. Included in the letter will be the existing weight limits and restrictions on the bridges and adding the 16 new structures presented today. There are now 26 bridges and 16 small structures that do not meet legal loads within the county. He added that there are 4 specific small structures that he has real concerns posting anything that low and would recommend closing the roadway segments. Commissioner Santelli commented that his concern is the farm traffic that would use those roads to access the fields. He asked how do we get them expeditiously fixed? Commissioner Lawson commented that we can't allow farm equipment, construction equipment, emergency personnel (EMS / firetrucks), etc. to across it – all would be overweight. We can't take that risk. Commissioner Wolfe asked if we have an engineer's estimate for the four small structures? Craig Parks replied the lowest cost is roughly \$257,000 and the highest is roughly \$361,000 for the construction alone and preparing in house. That does not include the external cost such as permitting. It would take roughly a year for the replacements to be completed. The structure on 300 S may take longer due to dealing with the right of way. Commissioner Santelli asked if there was an emergency repair that can be done for the small structure on 300 S. Craig Parks replied typically the load ratings are based on the structural integrity underneath the substructure.

Commissioner Wolfe made a motion to approve the Ordinance 2020-05 Amending Boone County Ordinance 2017-05 Relating to Restrictions on Certain Bridges in Boone County. Commissioner Santelli seconded the motion. Motion carried 3-0.

County Attorney Bob Clutter will be working with Craig Parks and Nick Parr on drafting an ordinance for the proposed closures to be presented at a future meeting.

In the matter of Old Business:

There was none at this time.

In the Matter of Staff Reports

- a. APC – Rachel Cardis
- b. IT Support – GUTS
- c. Health Department – Lisa Younts / Brett Peppin
- d. Highway Department & Facility Maintenance – Craig Parks

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

1. Construction in right of way permit (#202010032) for Butler, Fairman & Seufert at the Big Four Trail near Thorntown/Colfax for underground linear construction. The Boone County Highway Department recommends approval.

Commissioner Wolfe made a motion to approve the construction in right of way permit (#202010032) for Butler, Fairman & Seufert. Commissioner Santelli seconded the motion. Motion carried 3-0.

2. The Historical Society obtained a historical marker for Gov. Ralston and previously came before the Board of Commissioners requesting the placement to be on the courthouse grounds. Craig Parks has worked with them and found a location that they believe is adequate on the southside of the courthouse near the corner of the new wall and ramp on the southwest corner. He would recommend the execution of permission form to place the historical marker on the courthouse grounds. County staff will be doing the install.

Commissioner Wolfe made a motion to approve the placement of the historical marker for Governor Ralston. Commissioner Santelli seconded the motion. Motion carried 3-0

3. A Certificate of Substantial Completion for Project 2018-10 HA-012 and 2018-11 CE-33. He also presented Change Order #1 for project 2018-10 HA-012 in the amount of \$147,057.90 modifying the contract amount resulting in a reduction from the original contract amount of \$147,650 and CE-33 final amount of \$156,741.05.

Commissioner Wolfe made a motion to approve the Certificate of Substantial Completion and Change Order #1 for Project 2018-10 and 2018-11. Commissioner Santelli seconded the motion. Motion carried 3-0

4. An employment agreement with Paul Lagrange for the Facilities Department to do custodial work.

Commissioner Santelli made a motion to approve the employment agreement for Paul Lagrange. Commissioner Wolfe seconded the motion. Motion carried 3-0

5. Requested the commissioners and county attorney to attend a meeting with ESG to discuss ongoing issues with the relatively new geothermal cooling unit at the jail facility. County Attorney Bob Clutter asked Craig to reach out to them for some potential dates to meet.

Other Elected Officials:

Elise Nieshalla, councilwoman, thanked everyone for the discussion this morning relating to the culverts and bridges. She looks forward to discussing that further at the council's special meeting on Thursday, August 13th.

In the Matter of Public Comments:

There was none at this time.

In the Matter of Document Signing:

1. An affidavit for payment in the amount of \$ 4,773.70 to USI Consultants for Bridge 202 rehabilitation.

Commissioner Wolfe made a motion to approve the affidavit for payment to USI Consultants. Commissioner Santelli seconded the motion. Motion carried 3-0.

In the Matter of Claims presented in today's meeting

See (Appendix #2)

Commissioner Santelli made a motion to approve claims as submitted. Commissioner Wolfe 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 Santelli made a motion to adjourn at 9:39 am.
Commissioner Wolfe seconded the motion. Motion carried 3-0.