

BOONE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE APRIL 5, 2021 MEETING

The Boone County Board of Commissioners met in regular session at 9:00 AM on Monday, April 5, 2021 in the Connie Lamar Meeting Room located on the main floor of the Boone County Annex Building at 116 W. Washington Street, Room 105, Lebanon, IN 46052 with the following personnel in attendance:

Tom Santelli	Commissioner, President
Jeff Wolfe	Commissioner, Vice President
Bob Clutter	County Attorney
Kaylee Jessie	Administrative Assistant

Absent:

Donald Lawson	Commissioner
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DETERMINATION OF QUORUM AND PLEDGE TO THE FLAG

Commissioner Santelli opened the meeting at 9:00 AM with a quorum of two (2) Commissioners present and led the Pledge to the Flag in unison.

IN THE MATTER OF MINUTES

Commissioner Wolfe moved to approve the Minutes of February 1, 2021, February 15, 2021, March 1, 2021 and March 15, 2021 Commissioners' Meetings as presented. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

IN THE MATTER OF LEGAL ISSUES

Attorney Bob Clutter presented the following items:

- 1) Bonds for The Heritage Section 4
 - ACCEPT Maintenance Bond for Erosion Control in the amount of \$6,193.65.
 - ACCEPT Maintenance Bond for Storm Sewer & Subsurface Drainage in the amount of \$67,235.00.
 - RELEASE Performance Bond for Storm Drains and Erosion Control totaling \$400,760.75.

Commissioner Wolfe moved to approve the three bonds submitted for The Heritage Section 4. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

- 2) Letter of Engagement with Germaine Winnick-Willett and Heather James of Ice Miller LLP to provide legal counsel services to the Human Resources Director / County, including providing general advice with respect to labor and employment-related legal matters and review and revision of human resources policies and procedures as needed.

Commissioner Wolfe moved to approve the Letter of Engagement with Germaine Winnick-Willett and Heather James of Ice Miller LLP and authorized County Attorney Bob Clutter to execute the document on behalf of the County. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

**IN THE MATTER OF BID OPENING FOR BRIDGE REPLACEMENT
FOR BRIDGE NO. 174 & BRIDGE NO. 175**

BIDDER	DATE/TIME	TOTAL BID
HIS Constructors, Inc	04/05/2021 at 8:00 AM	\$1,257,156.00
Morphey Construction	04/05/2021 at 8:20 AM	\$1,170,000.00
Conexco, Inc.	04/05/2021 at 8:20 AM	\$1,136,689.58

Commissioner Wolfe moved to take the bids approve taking the bids under advisement for the Highway Department's review. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

IN THE MATTER OF INDIANA SIGN & BARRICADE QUOTE

Nick Parr, Highway Director, presented the Indiana Sign & Barricade quote for the install of constructions signs at various locations for the road program of chip, seal, and paving that will take place from June 1, 2021 to approximately August 31, 2021. The quote is in the amount of \$20,318.

Commissioner Wolfe moved to approve the Indiana Sign & Barricade quote. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

IN THE MATTER OF OTTO'S PARKING MARKING COMPANY PROPOSAL

Nick Parr, Highway Director, presented the Otto's Parking Marking proposal in the amount of \$22,000.00 for object marker signs that need to be replaced – approximately eighty (80) signs – to alert motorist.

Commissioner Wolfe moved to approve the Otto's Parking Marking proposal. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

**IN THE MATTER OF OLCO, INC. AGREEMENT FOR REPLACEMENT OF
SMALL STRUCTURES CL030 AND MA030**

Nick Parr, Highway Director, presented the OLCO, Inc agreement for the replacement of Small Structures CL030 and MA030. The Boone County Highway Department would recommend awarding the OLCO, Inc the project as they were the lowest responsive bidder. The contract is in the amount of \$317,687.89.

Commissioner Wolfe moved to approve the OLCO, Inc agreement for the replacement of Small Structures CL030 and MA030. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

**IN THE MATTER OF GAI CONSULTANTS, INC.
PROFESSIONAL SERVICES INSPECTION AGREEMENT**

Nick Parr, Highway Director, presented the GAI Consultants, Inc. professional services inspection for Bridge No. 174 and Bridge No. 175. The agreement is in the amount of \$102,590.00.

Commissioner Wolfe moved to approve GAI Consultants, Inc. professional services inspection for Bridge No. 174 and Bridge No. 175. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

**IN THE MATTER OF INDIANA DPARTMENT OF TRANSPORTATION (INDOT) UNOFFICIAL
LOCAL DETOUR FOR VICTOR ROAD REIMBURSEMENT CONTRACT**

Nick Parr, Highway Director, presented the Indiana Department of Transportation (“INDOT”) unofficial local detour reimbursement contract in the amount of \$16,388.15 for the restoration of the detour route on Victor Rd during INDOT’s road closure for culvert replacement on SR 47.

Commissioner Wolfe moved to approve the Indiana Department of Transportation unofficial local detour reimbursement contract. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

**IN THE MATTER OF ORDINANCE 2021-02 ESTABLISHING A NON-REVERTING FUND FOR
BRIDGE INSPECTION REIMBURSEMENT FROM FHWA/INDOT**

County Attorney Bob Clutter presented Ordinance 2021-02 establishing a non-reverting fund for bridge inspection reimbursement from FHWA/INDOT and read it aloud in pertinent parts pursuant to state law.

Commissioner Wolfe moved to approve Ordinance 2021-02 establishing a non-reverting fund for bridge inspection reimbursement from FHWA/INDOT. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

**IN THE MATTER OF ORDINANCE 2021-03 ESTABLISHING A NON-REVERTING FUND FOR
100S/400E ROUNDABOUT REIMBURSEMENT FROM FHWA/INDOT**

County Attorney Bob Clutter presented Ordinance 2021-03 establishing a non-reverting fund for 100S/400E roundabout reimbursement from FHWA/INDOT and read it aloud in pertinent parts pursuant to state law.

Commissioner Wolfe moved to approve 2021-03 establishing a non-reverting fund for 100S/400E roundabout reimbursement from FHWA/INDOT. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

**IN THE MATTER OF RESOLUTION 2021-10 AUTHORIZING DISPOSAL OF SURPLUS
PROPERTY FOR THE HIGHWAY DEPARTMENT**

Max Mendenhall, Capital Investments Director, presented the request to declare the following highway equipment items and cell phones as surplus:

Make	Model	Year	Serial No.	Description & Unit No.
Freightliner	M2112V	2012	1FVHC7CY0CHBS8627	UNIT #12 Tandem axel Dump truck
Freightliner	M2112V	2012	1FVHC7CY2CHBS8628	UNIT# 63 Tandem axel Dump Truck
Good Roads				13 Foot Salt Bed
Caterpillar	140H	2006	CAT0140HJAPM02668	UNIT# 29 Road Grader

County Attorney Bob Clutter presented Resolution 2021-10 authorizing disposal of surplus property for the highway department and read it aloud in pertinent parts pursuant to state law.

Commissioner Wolfe moved to approve Resolution 2021-10 authorizing disposal of surplus property for the highway department. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

IN THE MATTER OF ECONOMIC DEVELOPMENT COMMISSION BOARD APPOINTMENT

County Attorney Bob Clutter commented pursuant to state law the county has an Economic Development Commission. It has been a while since the last time the commission met – roughly 2014. The purpose of the commission is to issue certain types of bonds, in particular the Economic Development bond. There are three appointments to the commissioner – one commissioner, one council, and one by the largest city within the county. The current appointments are Commissioner Wolfe, Councilman Jacob, and Matt Kincade (City of Lebanon). There is a potential opportunity for the county to issue a Economic Development bond for a development project in Whitestown.

Commissioner Santelli moved to approve reappointing Commissioner Wolfe to the Economic Development Commission. Motion seconded by Commissioner Wolfe; motion passed unanimously 2-0.

IN THE MATTER OF DISCUSSION ON GOVERNOR'S ORDER

Leah Wilson, Zionsville resident, commented on the extended emergency declaration and how it has affected everyone, especially students and toddlers with impediments to their developmental progress and social cues. She has requested the commissioners to move forward without stricter local guidelines than what Governor Holcomb has put forth in his recent order, which it is very clear for our local governance to decide. She commented further on some of the mixed messages being received from the Health Commissioner for the state of Indiana, CDC, and media regarding vaccinations, masks, and mandates.

Dr. Herschell Servies commented that masks have helped protect our community during this pandemic. Governor Holcomb did not do the counties any favors by mandating masks at the state buildings but not at the local government/municipal buildings. The governor's order was a mask advisory, and Dr. Servies advises the everyone to continue wearing masks. He provided an example of how the positivity rate has increased since March Madness began.

Commissioner Wolfe commented that he has been a commissioner for twelve years and he doesn't think they have ever dealt with something as difficult as this. They have had to make some tough decisions that weren't always popular or there are times that they look back on and think of how something could have been handled differently at the time. Under the supervision of Dr. Servies, the Boone County Health Department has done an incredible job moving this county forward. At this time, the commissioners do not believe there is a need to add additional mandates to the Governor's Orders. An individual county office holder(s) or other business owner(s) may mandate masks before entering their office/building. Everyone should continue to carry a mask with them and respect these mandates at businesses. The community should continue to follow the SMASH guidelines along with the CDC guidelines. Commissioner Santelli added that Boone County has followed protocol of federal support, state mandated, and locally executed – that is not to say that they are going to ignore local positivity rates. A concern for him is the workload on the hospitals. The commissioners will continue to monitor these things. He strongly encourages everyone to follow the SMASH guidelines even if you are vaccinated.

Abby Messenger, Environmental Health Director, reported that 16,136 Boone County residents are fully vaccinated and 23,643 are partially vaccinated. The health department has a Johnson & Johnson (single dose) vaccination clinic on April 10th that is already full. She also thanked the volunteers helping with the vaccination clinics. Boone County is currently in blue status.

Diana Freeman, Thorntown resident, commented on the vaccine passports as she does not want the commissioners to enforce or consider this. She supports the United States Constitution and freedoms that American's have. Commissioner Wolfe commented that would be a decision not made by the Board of Commissioners, if it were to ever pass, it would be a federal mandate.

IN THE MATTER OF OLD BUSINESS

There was none at this time.

IN THE MATTER OF STAFF REPORTS

- APC – Rachel Cardis
- Coroner's Office – Justin Sparks
- Facilities / Capital Investments – Max Mendenhall
- Health Department – Lisa Younts / Abby Messenger
- Highway Department – Nick Parr
- Human Resources – Megan Smith
- IT Support – GUTS
- Other Elected Officials

Nick Parr, Director of Highway Department presented the following items:

- 1) Construction in right-of-way permit (#20210018) for Boone REMC at 3400 N 25 E to install power to a new house. There is a \$5,000 blanket bond on file. The Boone County Highway Department recommends approval.

Commissioner Wolfe moved to approve the construction in right-of-way permit (#20210018) for Boone REMC. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

- 2) Construction in right-of-way permit (#20210019) for Hydro Inc. at 8964 E 300 S for a watermain tap to service a new house. Requiring a bond in the amount of \$5,000. The Boone County Highway Department recommends approval.
Commissioner Wolfe moved to approve the construction in right-of-way permit (#20210019) for Hydro Inc. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.
- 3) Construction in right-of-way permit (#20210020) for Terracon Consultant Inc. at Bridge 148, CR 600 W over Big Raccoon Creek for subsurface borings for the Geotech needed on bridge design. Waiving the bond as it is a county project they are working on. The Boone County Highway Department recommends approval.
Commissioner Wolfe moved to approve the construction in right-of-way permit (#20210020) for Terracon Consultant Inc. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.
- 4) Road closure permit (#202130004) for Terracon Consultants, Inc. at Bridge 148, CR 600 W over Big Raccoon Creek from 06/03/21 to 06/04/21 for the borings. The Boone County Highway Department recommends approval.
Commissioner Wolfe moved to approve the road closure permit (#202130004) for Terracon Consultants, Inc. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

IN THE MATTER OF DOCUMENT SIGNING

- 1) Claims Dockets – regular, prepaids, payroll, and insurance.
Commissioner Wolfe moved to approve Budgetary Claims presented from the Auditor’s Office. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.

IN THE MATTER OF MAIL

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

IN THE MATTER OF ADJOURNMENT

With no further business, Commissioner Wolfe moved to adjourn the Boone County Commissioners’ Meeting at 9:53 AM on Monday, April 5, 2021. Motion seconded by Commissioner Santelli; motion passed unanimously 2-0.