

BOONE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE MAY 3, 2021 MEETING

The Boone County Board of Commissioners met in regular session at 9:00 AM on Monday, May 3, 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
Donald Lawson	Commissioner
Bob Clutter	County Attorney
Kaylee Jessie	Administrative Assistant

DETERMINATION OF QUORUM AND PLEDGE TO THE FLAG

Commissioner Santelli opened the meeting at 9:07 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison.

IN THE MATTER OF MINUTES

Commissioner Wolfe moved to approve the Minutes of April 5, 2021 and April 19, 2021 Commissioners' Meeting as presented. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF LEGAL ISSUES

Attorney Bob Clutter presented the following items:

- 1) Performance Bond for Park 130 Building 5 for acceptance
 - Erosion Control in the amount of \$137,689.20
 - Storm Sewer in the amount of \$1,793,000.00

Totaling: \$1,930,689.20

Commissioner Wolfe moved to approve accepting the Performance Bond for Park 130 Building 5. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 2) JDAI Grant Administration Agreement for Tamie Jo Morog to provide services as a Family Navigator. Tamie will be compensated for her services at the rate of forty dollars (\$40) an hour. Commissioner Lawson moved to approve the JDAI Grant Administration Agreement for Tamie Jo Morog. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 3) Participating Addendum that applies to the purchase and use of products (e.g. wireless service, software and other services) with Verizon for ratification. Commissioner Lawson moved to approve the Participating Addendum with Verizon. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 4) Jim Swift, Profession Surveyor of Swift Land Consulting, was hired by a client to work on the development of a parcel of land along County Road 950 W. Jim wanted to bring forward to the

Commissioners his client's request to consider vacationing the road. Nick Parr, Highway Director, spoke on the road and presented images of the road and the surrounding area. The road provides access to a barn, which is located a short distance off of County Road 450 N and extends out into a field. It acts more as a path to a field than a County Road. County Attorney Bob Clutter recommended holding a Public Hearing for consideration of vacating the road. The Public Hearing will be scheduled for the June 7th meeting.

**IN THE MATTER OF ACKNOWLEDGE RECEIPT OF
APRIL 15, 2021 TIF MANAGEMENT REPORT**

The Boone County Board of Commissioners acknowledges receipt of the April 15, 2021 TIF Management Report provided by Baker Tilly.

**IN THE MATTER OF BOONE COUNTY SENIOR SERVICES PUBLIC TRANSIT UPDATE
AND INDOT 5311 GRANT**

Anita Bowen, Executive Director of Boone County Senior Services, Inc., provided an update about the Boone Area Transit System. Like many others, they were impacted by COVID, but never closed down as people still needed rides to doctor visits, grocery stores, work, and etc. They are beginning to see an increase of riders again.

We are currently in the middle of a 18-month Grant Agreement, starting last July of 2020 through the end of 2021, that is completely CARES Act funded. This was a great opportunity for Boone County and their partnership with Boone Area Transit System to take advantage of that funding – we didn't have to have any local match.

The Boone Area Transit System anticipates an estimate of \$340,318.00 federal dollars and \$86,408 of state dollars to be allocated for funding of the 2022 INDOT 5311 operating grant. They also receive funding from other sources like the Boone County Commissioners, Boone County Council, local fundraisers, investments, and other partnerships.

Anita is also working on three (3) other applications for funding of other projects – two replacement vehicles and a new radio system.

County Attorney Bob Clutter presented Resolution 2021-12 authorizing the filing of a CY2022 application for a grant under Section 5311/5339 of the Federal Transit Act and read it aloud in pertinent parts pursuant to state law.

Commissioner Wolfe moved to approve Resolution 2021-12. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF A CELL PHONE FOR THE JDAI PROGRAM

Denise Schoeff, County JDAI Coordinator, submitted a request to add a cell phone for the new JDAI program to the County's plan. The program has funds allotted from a grant for reimbursement of the phone expenses.

Commissioner Lawson moved to approve the addition of a cell phone for the JDAI program. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF RESOLUTION 2021-11 AUTHORIZING THE COLLECTION OF SIGNATURES FOR A JAIL/COMMUNITY CORRECTIONS LEASE/BOND

County Attorney Bob Clutter presented Resolution 2021-11 authorizing the collection of signatures for a jail/community corrections lease/bond and read it aloud in pertinent parts pursuant to state law.

Commissioner Wolfe moved to approve Resolution 2021-11. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

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 (#202110025) for Boone REMC at CR 400 S and CR 875 E to CR 300 S to US HWY 421 for 4,500ft of boring and 13,600ft placing overhead fiber optic lines. There is a \$40,000 blanket bond on file. The Boone County Highway Department recommends approval.

Commissioner Wolfe moved to approve the construction in right-of-way permit (#202110025) for Boone REMC. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 2) Construction in right-of-way permit (#202110027) for the Town of Colfax for the Big 4 Trail Crossing at CR 950 W, CR 900 N, CR 825 N, and Fall Road. This is for 900 linear feet of asphalt placement on the county roads for the project. Bond has been waived. The Boone County Highway Department recommends approval.

Commissioner Lawson moved to approve the construction in right-of-way permit (#202110027) for the Town of Colfax for the Big 4 Trail Crossing. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 3) Construction in right-of-way permit (#202110028) for IPL at 6800-6900 W 96th Street (Moore Road to Ford Road) for 592ft of boring to install a new pull box. There is a bond in the amount of \$20,000. The Boone County Highway Department recommends approval.

Commissioner Wolfe moved to approve the construction in right-of-way permit (#202110028) for IPL. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 4) Construction in right-of-way permit (#202110029) for Miller Pipeline at 8698 E CR 200 S to install a tap pit and bore for a new gas service. There is a blanket bond on file. The Boone County Highway Department recommends approval.

Commissioner Lawson moved to approve the construction in right-of-way permit (#202110029) for Miller Pipeline. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 5) Construction in right-of-way permit (#202110030) for VTRE Development is working near the Saratoga Subdivision in the rural areas of Zionsville, boring under the roadway to install a new water main. There is a \$5,000 bond on file. The Boone County Highway Department recommends approval.

Commissioner Wolfe moved to approve the construction in right-of-way permit (#202110030) for VTRE Development. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 6) Announced that Boone County was awarded funding in the amount \$789,260.50 for Bridges 174 & 175 in the 2021-01 Community Crossing Matching Grant Fund Program. This amount was based on the estimates provided when the call for projects was open in January. Since then, the highway department has bid out the projects, so the County will only receive half of the total construction amount of \$568,344.75 for the project.

- 7) Announced that two of the small structure projects are completed. WO002 and JE017 have been replaced. There were the top two that needed immediate attention and were paid for with bond funds.

Commissioner Wolfe acknowledged on behalf of the Board receipt of an email from Friends of Scotland Road Bridge and Boone County Historical Society who has requested from Indiana Department of Transportation (INDOT) a review of the process that is taking place for the bridge. The Boone County Historical Society has proposed taking over ownership of the Scotland Road Bridge. Due to the time constraints, the proposal did not include any financial responsibility. Commissioner Wolfe wanted to address the history of this project regarding the bridge. The County had not heard from the Boone County Historical Society until a few weeks ago. Notifications of this project were sent June 6, 2016, and there have been meetings regarding the scope of the project which they did not attend. Delaying the project to move forward may impose financial constraints on the project as the County would lose 2.1million dollars in funding to fix the road. That does not include the expenses already paid for the project. The bridge has significant wear from over the years. There are areas with no sides of the bridge, and it is becoming unsafe for travel. If the Commissioners were to delay the project, there is a chance of needing to consider closing the road. If the road is close, it may be closed potentially up to five (5) years until another grant opportunity is available, which may affect many local residents.

Commissioner Lawson commented that no firetrucks, ambulances, or school buses are allowed to cross the bridge as they exceed the legal weight limit. Health and safety are the most important thing to him. He will not accept risking lives to keep the bridge open.

Commissioner Santelli opened the floor for public comment.

Kim Love, Boone County Resident, commented that she understands why the bridge needs replaced. Farm and public safety equipment are heavy and should be able to cross the bridge. What she doesn't understand is why

the replacement bridge couldn't be build next to the bridge to preserve the current one as a historical monument for Boone County. She hates seeing history be demolished for the sake of convenience and new safety guidelines. Adding an example of older homes aren't as safe, but they still have value. If we continue to demolish our history, how will our children know where they came from? She acknowledged that a new bridge should be built, but recommends leaving the old bridge and blocking it off for public enjoyment.

Cindy Holmes, Boone County Resident, agreed with what Kim Love stated. She recalls reading in the paper back in 2019 about the bridge being in question and how land was being acquired to save the bridge – she thought that would be a major consideration. She would like for the County to consider building around it.

Kathy Flanary, Boone County Resident, commented that Boone County has one hundred and four bridges, eleven are identified as historical bridges. Scotland Road Bridge is the only bridge in the County that qualifies and is registered as a national historic bridge. She agrees that the bridge has had a lot of wear and tear over the years. The Friends of Scotland Road Bridge would like to request a Q&A meeting with the Commissioners regarding other possible options to preserve the bridge. She recommended making a pocket park out of the bridge with a new bridge built along side of it.

Commissioner Wolfe commented he will do his best to respond to their questions keeping in mind that he is not an engineer. The request to build a new bridge along the side of the bridge imposes several challenges – the cost of a new design, additional construction cost, a new road alignment taking additional acreage, turning a straight road into a curved one. Safety is their number one concern. They would like to consider the idea of transferring the bridge to the Boone County Historical Society, but he is concerned that people are not aware of the annual liability insurance cost or if an insurance company would even write a liability insurance policy for it. They will also need funding for long term maintenance. Boone County does not have a park board or funding available to maintain it as a park. Public enjoyment would be limited. There is a linear crack under the bridge.

Nick Parr commented that the County did an alternative analysis for potential options that were presented for consideration – leaving it, building beside it, remove, replace, rehab. The highway department met with the Indiana Historic Preservation Officer and Indiana Landmarks, and they did an additional alternative analysis. Indiana Landmarks was in favor of keeping the bridge in its current condition. The highway department posted signs at the bridge for two years and reached out to consulting parties for meetings. Boone County Historical Society did not attend. No calls were received regarding the bridge – until very recently. The bridge in current condition must be completely disassembled and rebuilt for it to be safe.

Commissioner Santelli commented that there has been a lot of conversation around this bridge – safety, liability, condition, function, and funding. There are a lot of odds stacked against what we would like to do to preserve the bridge. We struggle with the limited dollars available each year for bridge replacement/repair and the County has a significant number of bridges to maintain. There is a lot to take into consideration. He appreciates those who have voiced their concerns/opinions for consideration.

Commissioner Wolfe commented that if we delay the funding of this project that it may delay other bridges to receive funding for replacement/repair. There has been a lot of thought put into this project.

Kim Love commented that it was not her intent to attend today's meeting to offend/insult the Commissioners or accuse them of not doing their job right. She wanted to bring to their attention that many people would like to express their desire to keep history within Boone County.

IN THE MATTER OF DOCUMENT SIGNING

1) Key request forms for the following: Austin Rutan, Claire Fuller, Kallie Rice, and Lori House. Commissioner Lawson moved to approve the key request forms submitted. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

2) Affidavit for payment to USI Consultants in the amount of \$811.38 for Bridge 202 Rehabilitation. Commissioner Wolfe moved to approve the affidavit for payment to USI Consultants. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

3) Claims Dockets – regular, prepaids, payroll, and insurance. Commissioner Wolfe moved to approve Budgetary Claims presented from the Auditor’s Office. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

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 Lawson moved to adjourn the Boone County Commissioners’ Meeting at 10:33 AM on Monday, May 3, 2021. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.