

BOONE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE OCTOBER 18, 2021 MEETING

The Boone County Board of Commissioners met in regular session at 9:00 AM on Monday, October 18, 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 9:13 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 Lawson moved to approve the Minutes of October 4, 2021 Commissioners' Meeting as presented. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF LEGAL ISSUES

Attorney Bob Clutter presented the following items:

1) Tokio Marine HCC Stop - Loss Group Agreement.

Commissioner Wolfe moved to approve the Tokio Marine HCC Stop - Loss Group Agreement. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

2) The following bonds for **acceptance:**

- Irrevocable Letter of Credit for Jackson Run North Section 1
 - \$625,000.00 for storm sewer and erosion control.
- Irrevocable Letter of Credit for Jackson Run South
 - \$350,375.00 for storm sewer and erosion control.
- Maintenance bond for Bridle Oaks Section 1A & 1B
 - \$29,068.50 for erosion control.
- Maintenance bond for Prairie Chase
 - \$28,323.00 for erosion control.
- Maintenance bond for Prairie Chase
 - \$104,548.00 for storm drain.
- Maintenance bond for Bridle Oaks Section 1B
 - \$118,893.75 for storm sewer.
- Performance bonds for Golf Club of Indiana Section 2
 - \$827,040.50 for storm drain and

- \$121,600.00 for erosion control.
- Performance bond for 65 Commerce Phase 3
 - \$32,400.00 for legal drain improvement.
- Performance bonds for Nolan Legal Drain Improvements
 - \$1,210,540.00 for storm drain

Commissioner Lawson moved to approve the acceptance of the bonds presented. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

3) The following bonds for **release:**

- Performance bonds for Prairie Chase Section 1 Erosion Control & Storm Sewer
 - \$124,621.00 for erosion control and
 - \$459,384.00 for storm improvement
- Performance bonds for Bridle Oaks Sections 1A & 1B
 - \$116,273.85 for erosion control
 - \$386,925.00 for storm sewer/subsurface drains
 - \$442,518.81 for storm sewer/subsurface drains

Commissioner Wolfe moved to approve the release of the bonds presented. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF THE ICE MILLER ENGAGEMENT LETTER

County Attorney Bob Clutter presented the Ice Miller engagement letter to serve as special counsel to assist Boone County through the American Rescue Plan Act (“APRA”) funding process and the creation of plan for the use of the funds by the Commissioners.

Commissioner Lawson moved to approve the Ice Miller engagement letter for the APRA funding process. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF REQUEST OF AMERICAN RELIEF PLAN FUNDS FOR BOONE COUNTY CONVENTION & VISITORS BUREAU

Nathan Messer, presented of the Boone County Convention & Visitors Bureau (“CVB”) Board, presented a request of American Relief Plan (“ARP”) funds in the amount of \$280,000.00 for loss of revenue. The CVB sponsors various events that occur within Boone County, Indiana – marketing, rent, operations, etc. Commissioner Santelli also commented on the numerous events supported by CVB with money collected by innkeepers tax. He also commented on the importance of continuing to support the events and growth to our community. There was discussion to include the request on the ARP project list being submitted for funding.

IN THE MATTER OF JDAI TUTOR CONTRACTS FOR RACHEL BECKER AND JARRED MILLER

County Attorney Bob Clutter presented the JDAI tutor contracts for Rachel Becker and Jarred Miller.

Commissioner Wolfe moved to approve the JDAI tutor contracts presented. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF TRINITY FOOD SERVICES

County Attorney Bob Clutter presented the Trinity Services Ground, Inc. contract to provide food services at the Boone County Jail for inmates and staff. Trinity will also provide staffing as the current cooks at the jail will be retiring at the end of this year. This would not require additional funds and could potentially save the county monies.

Commissioner Wolfe moved to approve the Trinity Services Ground, Inc. contract. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF EXTRA DUTY SOLUTIONS

County Attorney Bob Clutter presented the Extra Duty Solutions contract will administrate the County's extra duty program for the Boone County Sheriff's Office. They will engage with the representatives of companies, organizations, and institutions who wish to hire officers to work extra duty details – security for an event, traffic control, etc. The company will communicate with the department personnel to confirm detail assignment scheduling and details worked. Rates are set by the department; Clients/vendors are invoiced according to the department's timing requirements. There will be a 10% administration fee collected and paid to Extra Duty Solutions for services. Extra Duty Solutions will also manage the invoicing of customers, officer payment process, and field feedback.

Commissioner Lawson moved to approve Extra Duty Solutions contract. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF INTERLOCAL AGREEMENT WITH INDIANA DEPARTMENT OF TRANSPORTATION FOR RADAR SPEED SIGNS

County Attorney Bob Clutter presented the Interlocal Agreement with the Indiana Department of Transportation ("INDOT") for the installation, operation, and maintenance of two electronic radar speed signs in Dover, IN along State Road 32. The Boone County Sheriff's Office has agreed to pay to maintain them.

Commissioner Wolfe moved to approve Interlocal Agreement with the Indiana Department of Transportation ("INDOT") for the two electronic radar speed signs. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF MACALLISTER PROPOSAL AND PURCHASE AGREEMENT

Max Mendenhall, Director of Capital Investments, presented a purchase agreement with MacAllister Caterpillar for a new paver in the amount of \$444,497.25. This is a budgeted item over the next 4 years.

Commissioner Wolfe moved to approve the purchase agreement with MacAllister Caterpillar. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF PROJECT 2021-02 ASPHALT RESURFACING IN VARIOUS TOWNSHIPS, CHANGE ORDER #3

Nick Parr, Director of Highways, presented Baumgartner's Change Order #3 for project 2021-02 Asphalt Resurfacing in Various Townships. Changes include multiple underruns for field measurements, items added to assist with the completion of bridge 311, and repairs, material, and thermoplastic lines added. Change Order includes a not to exceed amount of \$55,860.60 bringing the new contract price to \$2,577,857.67.

Commissioner Lawson moved to approve Baumgartner's Change Order #3 for project 2021-02 Asphalt Resurfacing in Various Townships. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF DISCUSSION/ADOPTION OF TITLE VI NONDISCRIMINATION PLAN AND ADA REQUIREMENTS

Nick Parr, Director of Highways, wanted to have a discussion regarding the Title VI Nondiscrimination Plan and ADA Requirements. The Indiana Department of Transportation ("INDOT") notified Nick that they do not have an ADA Transition Plan and Self-Evaluation of Public Assets and ROWs on file for the County, and the last received Title VI Implementation Plan on file is dated 2017. INDOT requires Transition Plan updates on a three-year basis, and annual Goals and Accomplishments reporting for Title VI nondiscrimination policies. There was discussion that Commissioner Wolfe, Nick Parr, Megan Smith, and Kaylee Jessie will work on a solution to bring the County back in compliance.

IN THE MATTER OF CHARTER COMMUNICATIONS PRESENTATION

Elizabeth James, J.D., Manager and LeeAnn Herrera, Director of Government Affairs with Charter Communications presented at PowerPoint presentation regarding Indiana's broadband expansion.
(See Appendix #2)

Charter Communications requested the County to consider a partnership with them as they prepare to submit applications for Indiana's Next Level Connections Round 3. The following items would help bolster the full application process on behalf of Boone County:

1. Letters of support from all levels of government: commissioners, councilmembers, EDC Members, etc.
 2. Financial partnership to lower the state's contribution: Grant request amount is \$2,773,488. Charter Communications recommends a 10% match from the county.
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IN THE MATTER OF 2022 HOLIDAY SCHEDULE

Kaylee Jessie, Commissioners Administrative Assistant, presented two 2022 Holiday Schedules for consideration – one included a proposed staff training day. There will be further discussion at the next department head meeting to consider a possible alternate day that would work better for departments to close to the public for training.

Commissioner Wolfe moved to approve the 2022 Holiday Schedule (option 1), excluding the staff training day. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF OLD BUSINESS

1. County Attorney Bob Clutter presented the True RX contract signed by Commissioner Wolfe on October 13, 2021 for ratification.

Commissioner Lawson moved to approve ratifying the True RX contract. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

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

Lisa Younts, Health Department Administrator:

- 1) Provided an update on Covid-19 cases in Boone County. We are currently in yellow status designated by the State and seeing a decrease in the number of positive cases reported. The FDA recently approved the Moderna Covid-19 Vaccine Booster Dose. The Centers of Disease Control (“CDC”) and Advisory Committee on Immunization Practices (“ACIP”) will be meeting on October 20th – October 21st to make their recommendations on the dose. They will also be discussing a booster for Johnson and Johnson (“J&J”) and the mixed primary series to a booster. On October 26th, the FDA will be reviewing the data for the Pfizer Vaccine for 5-11 year olds. The Boone County Health Department continues to offer free Covid testing at the Witham North Pavilion, walk-ins are welcomed but appointment is recommended. They also offer a free Covid Vaccination Clinic at the department located in the Annex Building.

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

- 2) Construction in right of way permit (#202110058) for Frontier Communications at 4919 Serum Plant Road for underground linear construction to install new service to customer. The Boone County Highway Department recommends approval of the permit with a \$15,000 bond.
Commissioner Wolfe moved to approve the construction in right of way permit (#202110058) for Frontier Communications. Motion seconded by Commissioner Santelli; motion passed 2-0-1.
- 3) Construction in right of way permit (#202110059) for Boone REMC at CR 700 W between CR 600 S and CR 700 S for the placement of poles and overhead lines. The Boone County Highway Department recommends approval of the permit. There is a \$10,000 blanket bond on file.
Commissioner Wolfe moved to approve the construction in right of way permit (#202110059) for Boone REMC. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.
- 4) Construction in right of way permit (#202110060) for Thayer Power at CR 300 S to the west from Michigan Road for underground linear construction to install fiber optic cable. The Boone County

Highway Department recommends approval of the permit with the condition that they coordinate with United Consulting's Utility Coordinator that is working on the reconstruction and design of Bridge 192. There is a \$110,000 blanket bond on file.

Commissioner Wolfe moved to approve the construction in right of way permit (#202110060) for Thayer Power with the condition of coordinating with United Consulting. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 5) Road closure permit (#202130012) for Mason Private Locating, LLC at Bridge 148, CR 600 W between CR 300 S and CR 200 S, to temporarily close the road for one day between October 25th – October 19th during the day to obtain exact utility depths.

Commissioner Lawson moved to approve the road closure permit (#202130012) for Mason Private Locating, LLC. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 6) Other highway department items for information:

- JE020 is scheduled to **open** 10/15/2021
- JE016 is scheduled to **close** 10/18/2021

Commissioner Santelli:

Announced/reminded everyone that there will be a Town Hall Meeting at the Farm Bureau Community Building Auditorium on Thursday, October 28th at 7pm regarding the proposed Justice Center Project and encourages their attendance.

IN THE MATTER OF DOCUMENT SIGNING

- 1) An agreement to reserve the Annex Building at the Boone County 4H Fairgrounds on October 27th and November 2nd for Open Enrollment.

Commissioner Lawson moved to approve the agreement to reserve the Annex Building at the Boone County 4H Fairgrounds. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 2) 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 10:46 AM on Monday, October 18, 2021. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.