

BOONE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE JANUARY 18, 2022 MEETING

The Boone County Board of Commissioners met in regular session at 9:00 AM on Monday, January 18, 2022 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:

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

DETERMINATION OF QUORUM AND PLEDGE TO THE FLAG

Commissioner Wolfe opened the meeting at 9:08 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 Santelli moved to approve the Minutes of December 20, 2021 and January 04, 2022 Commissioners' Meeting as presented. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF THE MEMORANDUM FOR THE JANUARY 04, 2022 EXECUTIVE SESSION

Commissioner Santelli moved to approve the Memorandums for the January 04, 2022 Executive Session. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF AMENDING THE AGENDA

Commissioner Wolfe moved to amend the Meeting Agenda for January 18, 2022 and add EDC – Molly Whitehead to the Agenda. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

IN THE MATTER OF EDC FEE FOR SERVICE CONTRACT

Commissioner Santelli moved to approve EDC Fee for Service Contract for \$140,000 subject to Attorney Bob Clutter's review of the contract. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF LEGAL ISSUES

Attorney Bob Clutter presented the following items:

- 1) The Boone County Surveyor requests the release of a Letter of Credit in the amount of \$625,000 for Jackson Run Section 1 Storm, Sewer and Erosion Control from Steve and Jennifer Braun and replace with a Letter of Credit in the amount of \$625,000 for Jackson Run Section 1 Storm, Sewer and Erosion Control from Braun Property Development.

Commissioner Santelli moved to approve the release of the Letter of Credit from Steve and Jennifer Braun and replace with the Letter of Credit from Braun Property Development. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 2) Request execution of the Broadband Infrastructure Grant Agreement between Boone County and Spectrum Mid-America through Charter Communications. Boone County's commitment is \$250,000 subject to the receipt of the award of applicable funds designated for Boone County through round three of Indiana's Next Level Connections Broadband Agreement. Spectrum Mid-America accepted Bob's revisions to the agreement Friday January 14, 2022.

Commissioner Santelli moved to approve the Broadband Infrastructure Grant Agreement. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF FIRSTPERSON COMPENSATION CONTRACT

Megan Smith, Human Resources Director, presented the FirstPerson Contract for the Total Rewards and Compensation Study. Katie Stowers with FirstPerson was on the phone and stated that there was a typo on page 3 section 201, the date was listed as December 31, 2021, and should be listed as December 31, 2022. Bob had already made the correction.

Commissioner Santelli moved to approve the FirstPerson contract for the Total Rewards and Compensation Study with the amendment of the typo correction. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF TRUERX CONTRACTS

Megan Smith, Human Resources Director, presented the TrueRx contract. Apex compliance officer prepared a summary pan description that TrueRx has approved. The biggest difference between TrueRx and Express Scripts is that any specialty medications are now carved out and anyone on specialty medications should have been contacted by TrueRx for a smooth transition. If TrueRx has not reached out to you on your specialty medications, please see Megan. Once the specialty medications are carved out, they should go under an Advocacy Program. If the Advocacy Program is unable to help with the specialty medications, then we have a summary of material modification to the benefit plan as well as an exclusion override form. The exclusion override form would then need to be filled out; this will allow Boone County to cover the specialty medications under our plan. Anyone on a specialty medication will get two fills under TrueRx while they are sorting out the Advocacy Program.

Commissioner Lawson moved to approve the TrueRx contract. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

IN THE MATTER OF SAFE HIRING SOLUTIONS SERVICE AGREEMENT

Megan Smith, Human Resources Director, presented The Safe Hiring Solutions service agreement. This is not a contract; it is a pay as you go service agreement to run background checks on new hires.

Commissioner Santelli moved to approve the Safe Hiring Solutions service agreement. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF 5311 PROGRAM

Anita Bowen, Boone County Senior Services presented a recap of 2021. They continue to sanitize, clean and wear masks in all transit vehicles based on FTA requirements. In 2021 there were 767 distinct riders, 17,339 one-way rides. Still rebounding, in 2019 pre COVID there were 902 distinct riders and 23,893 trips. In 2020 there were 748 riders and 16,401 trips. Will take time, lost some riders, some riders don't have confidence in coming back yet and some riders are not back to work. Reminder that this is public transportation for people of all ages, have made an intentional effort to let people know that they can take their children to school. Have provided transportation for all ages since 2006. The Senior Services funding in the future may switch from rural public transit to urban public transit due to increases in population. Hendricks and Hamilton counties have already made the switch, so their funding is now coming through IndyGo instead of INDOT. Currently they receive all rural funding through INDOT, and this is what is the 5311 programs. Public transit has been 100% supported through the Cares Act since July of 2020 and this has been outstanding for Senior Services as a non-profit organization and for the County not to have to have a local match. Will have enough funding for the fourth quarter claim and a little left to go in to 2022. They have learned that they will receive \$33,286 from American Rescue Plan to go towards 2022 expenses. In 2021 they received two mini vans, orders for mini vans this year have been cancelled due to the chip shortage but do still hope to get one small transit bus. Scheduled for a full compliance review this year, Anita will be in correspondence once she has the date, she will let the Commissioners know but it will be in the Spring. The County receives the Grant, Boone Area Transit is the service provider so both the Commissioners and Boone Area Transit will be at the table for the Full Compliance Review. There will be an Annual Celebration on February 16, 2022 and all are invited to hear more about the transit system and take a ride in one of the transit system vehicles. Commissioner Santelli wanted everyone to know that this service is not just for Lebanon, but it serves all of Boone County.

IN THE MATTER OF RESOLUTION 2022-01 DISPOSAL OF SURPLUS PROPERTY

Attorney Bob Clutter presented a resolution to dispose of a 2003 Broom that was utilized by the Boone County Highway Department and damaged beyond repair in an accident. The County has received the insurance proceeds and used them to purchase a new broom. The Broom as determined by the insurance company to be of no significant value and to be declared surplus and disposed of according to Indiana Law.

Commissioner Santelli moved to approve Resolution 2022-01 disposal of surplus property. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF COVERDALE CONSULTING PROPOSALS

Attorney Bob Clutter presented two proposals from Coverdale Consulting, the first one is for a onetime payment of \$950 in regard to work that was previously done for statements that were released to the public on HR matters. The second one is for a monthly consulting fee of \$4,000 per month and additional services over and above that is for \$200 per hour for public relations work and sets forth all sorts of objectives and scope of work.

Commissioner Santelli moved to approve the Coverdale Consulting Proposals. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF VFIS ACCIDENT POLICY FOR BOONE COUNTY EMA

Attorney Bob Clutter presented the VFIS Accident Policy for Boone County EMA from Dan Lamar with Walker Hughes Insurance. This policy is specifically to cover volunteers for EMA and the policy amounts have gone up considerably, it used to be \$750 per year. Several insurance companies have decided not to even quote this anymore. This is not for wage replacement; it is only for injuries and liability sustained and covered by workers comp. The company id VFIS and the amount is for \$2,619 per year. Bob has reviewed the quote and talked with Mike Martin. Director of Boone County Emergency Management Agency.

Commissioner Lawson moved to approve the quote from VFIS for Accident Policy for Boone County EMA. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

IN THE MATTER OF DISCUSSION REGARDING BOONE COUNTY CUMULATIVE BRIDGE FUND REESTABLISHMENT

Attorney Bob Clutter stated that after the last meeting Nick Parr, Director of Highways mentioned reestablishing the Cumulative Bridge Fund after he had conversations with Boone County Council Members. Bob reached out to Paige Sansone & Susan with Baker Tilly they sent an email back recommending an increase in the tax rate for cumulative bridge it is currently at .0125 and increasing it to .0240 that would result in an increase of the Levy, assuming no growth in the assessed valuation, to \$677,688. If there is 5% growth in AV then it would be about \$750,000. Baker Tilly is proposing a 0% estimate in the AV growth for 2023 collections which would be about \$680,000. The process would be to publish a Notice of Public Hearing in the newspaper. The public hearing would be on Tuesday February 22, 2022 during the regular meeting. Then after that a publication of the ordinance adopting the increase. This is not an increase in taxes it is just a redistribution of the current taxes within the Levy. Bob will work with Kaylee to get the Notice of Public Hearing published for the February 22, 2022 meeting, then you will have an ordinance presented to you at the meeting establishing the new rate to .0240.

IN THE MATTER OF VS ENGINEERING BRIDGE INSPECTION REPORT

Joe Clark with VS Engineering presented a Bridge Inspection Report.

**IN THE MATTER OF MOU WITH THE CITY OF LEBANON FOR RECONSTRUCTION OF
ELMWOOD BRIDGE**

Attorney Bob Clutter presented an MOU with the City of Lebanon for the Reconstruction of Elmwood Bridge #316. The city is looking at replacing Elmwood Bridge #316, after it is replaced at the City's cost and inspected by the County it will then be accepted into the County's inventory.

Commissioner Santelli moved to approve and adopt the MOU with the City of Lebanon for the Reconstruction of Elmwood Bridge #316. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

**IN THE MATTER OF BRIDGE CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN
BOONE COUNTY AND THE CITY OF LEBANON FOR BRIDGE 317 ALONG WITT ROAD**

Attorney Bob Clutter presented the Bridge Construction and Maintenance Agreement between Boone County and the City of Lebanon for Bridge 317 along Witt Road. Due to some unforeseeable delays this will be this year's project. This agreement is formalizing the Construction of Bridge 317 at the City's expense, Nick Parr, Director of Highways will be included in inspections and after Construction of Bridge 317 it will then be accepted into the County's inventory.

Commissioner Santelli moved to approve Bridge Construction and Maintenance Agreement between Boone County and the City of Lebanon for Bridge 317 along Witt Road. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

**IN THE MATTER OF 2022 COMMUNITY CROSSINGS APPLICATION FOR CALL #1 FOR SMALL
STRUCTURE CE-032 FUNDING COMMITMENT LETTER**

Nick Parr, Director of Highways, presented a 2022 Community Crossings Application Agreement call #1 for Small Structure CE-032 Funding Commitment Letter. This will be a 50% match of Construction dollars. The application has been started and are ready for the financial commitment letter that is required to be submitted with the application. CE-032 is a small structure replacement on CR 375 N just west of SR 39. The total cost of replacement is \$304,560.17 and total funds requested from CCMG is \$152,280.08.

**IN THE MATTER OF 2022 COMMUNITY CROSSINGS APPLICATION FOR CALL FOR BRIDGE
150 FUNDING COMMITMENT LETTER**

Nick Parr, Director of Highways, presented a 2022 Community Crossings Application Agreement call #1 for Bridge 150 Funding Commitment Letter. Bridge 150 is on CR 700 W over Big Raccoon Creek. The total estimated construction cost is \$640,378.74 and total funds requested from CCMG is \$320,189.37.

Commissioner Lawson moved to approve both 2022 CCMG applications for call #1. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

**IN THE MATTER BUTLER FAIRMAN & SEUFERT TASK #23 FOR SMALL STRUCTURE
REPLACEMENT CE-032**

Nick Parr, Director of Highways, presented Butler Fairman & Seufert Task #23 for small structure replacement CE-032. This is for construction inspection for a total of \$20,000.

Commissioner Santelli moved to approve the Butler Fairman & Seufert Task #23 for small structure replacement CE-032. Motion seconded by Commissioner Lawson motion passed unanimously 3-0.

IN THE MATTER OF OLD BUSINESS

Nothing 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 (#202210001) for BSM Groups for QC Communications at 7402 S 550 E for underground linear construction for UG duct placement. Bond amount of \$10,000. The Boone County Highway Department recommends approval.

Commissioner Lawson moved to approve the construction in right-of-way permit (#202210001). Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

2) Construction in right-of-way permit (#202210002) for Augusta Underground at 278 Larkspur Ct. Countrywood Subdivision for tap pit for E-1 install. Bond amount of \$5,000. The Boone County Highway Department recommends approval.

Commissioner Lawson moved to approve the construction in right-of-way permit (#202210002). Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

3) Road closure permit (#202230001) for Centerpoint Energy at 300 S between US 421 & 975 E. This is expected to be closed on January 24, 2022. The Boone County Highway Department recommends approval.

Commissioner Lawson moved to approve the road closure permit (#202230001). Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

4) Br. 41 Design Standards Report: Request approval of a Level 2 design exception & BLN's design standards report for Br. 41. This report that includes each design exception and notification letter required for this project must be submitted in advance of final tracings. Design exceptions for the intersection of 950 N & 200 E have previously been approved for this project. The Level 2 Design Exception is needed due to the use of non-MASH compliant W-beam guardrail, INDOT has not developed a new standard yet so a design exception is required.

Commissioner Santelli moved to approve the Bridge 41 Design Exception & BLN's Design Standards Report. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

5) Right of Entry for Bridge 217: Request execution of the ROE for the property owned by Grand Communities, LLC. That is located on the north side of Bridge 217. Permanent r/w will be dedicated when the Chelsea Park subdivision plat is recorded, but this ROE is needed so construction can begin before the plat is recorded.

Commissioner Santelli moved to approve the ROE for Bridge 217. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

6) Nick Parr, Director of Highways, stated that he will be bringing their annual Report to the next meeting.

Tom Santelli, Commissioner presented:

1) On behalf of the Boone County Coroner, Commissioner Santelli has been in conversations with Coroner Sparks it is very significant in terms of the application of legislation that was passed in 2018 that has to do with substance abused disorders. If coroner comes up with a deceased where it was a drug overdose, they work with prosecutor, public safety, and law enforcement and if you supply drugs to an individual that overdoses you can be held accountable for felony murder. We have had one charges that are being developed out of Boone County and working with Boone and Hamilton County we have charges pending. Then we also have a conviction where the supplier was sentenced to twenty-five years plus. This is significant work that our coroner is doing as he is working through these drug overdoses is what caused it and where is the chain of custody with regards to that. Significant developments in our county as well as Hamilton County, we are working throughout the state and across county lines to limit or more to hold accountable those that are involved in the process.

IN THE MATTER OF DOCUMENT SIGNING

1) Attorney Bob Clutter presented two key requests forms both for the prosecutor's office one for Rachel Carter paralegal and Jaime Paige paralegal.

Commissioner Santelli moved to approve the two key request for the prosecutor's office. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

2) Claims Dockets – regular, prepays, payroll, and insurance.

Commissioner Santelli stated that he has been working with Auditor Crum reaching out to Taft in regards to the held claim has missing information and has not received a response from Taft.

Commissioner Santelli moved to hold a claim for Taft from December 22, 2021 claim cycle in the amount of \$7,338.42. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

Commissioner Santelli moved to approve the rest of the Budgetary Claims presented from the Auditor's Office. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF MAIL

Commissioner President Wolfe stated that the Commissioners would review the mail after the meeting since.

IN THE MATTER OF ADJOURNMENT

With no further business, Commissioner Santelli moved to adjourn the Boone County Commissioners' Meeting at 10:39 AM on Monday, January 18, 2022. Motion seconded by Commissioner Lawson ; motion passed unanimously 3-0.