

BOONE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE DECEMBER 5, 2022 MEETING

The Boone County Board of Commissioners met in regular session at 9:00 AM on Monday, December 5, 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 9:14 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 the October 17, November 7, and November 21, 2022 Commissioners' Meetings as presented. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

IN THE MATTER OFFICER NOMINATIONS

Commissioner Santelli moved to nominate Commissioner Lawson as President and Commissioner Wolfe as Vice President for the coming year. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF LEGAL ISSUES

Attorney Bob Clutter presented the following items:

- 1) The authorization and direction to the Bank of New York Mellon Trust Company N.A. to invest cash balances in a money market mutual fund through the Bank of New York Mellon for ratification. Commissioner Wolfe signed the certificate on December 1, 2022 as part of the Local Income Tax Lease Rental Revenue Bond, Series 2022 Bond closing. They were presented with a list of mutual funds and it was decided that Dreyfus Government Securities Cash Management was the best fit.

Commissioner Santelli moved to approve the authorization and direction to the Bank of New York Mellon Trust Company N.A. to invest cash balances in a money market mutual fund through the Bank of New York Mellon for ratification. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 2) Veridus Group's recommendation letter 05 to proceed with the approval of costs associated with the JDH Contracting, Inc. Estimate P6931 dated September 2, 2022 for temporary fiber route from Indianapolis Avenue pole west of Boone County Highway Department to the Fairgrounds Annex Building parking lot. This fiber route will be in service throughout the duration of construction. JDH will provide services described in the proposal for the lump sum fee amount of \$8,482.00 for labor, equipment and materials.

Commissioner Santelli moved to approve JDH Contracting, Inc. Estimate P6931 for the temporary fiber route. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 3) Veridus Group's recommendation letter 07 to proceed with approval of costs associated with the AT&T Quote 217737 dated October 20, 2022, for the engineering, labor, and materials for the copper and fiber to be routed around North side of planned Unit E. The total of the AT&T Quote for engineering and installation is \$45,675.10.

Commissioner Santelli moved to the AT&T Quote for engineering and installation. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 4) Veridus Group's recommendation letter 08 to proceed with approval of the costs associated for AP Engineering & Consulting, Inc. (APEC) Proposal P2022-438 for preliminary soil sampling to determine whether elevated concentrations of lead are present within the existing firing range berm scheduled to be relocated for the North end of the overall Boone County Justice Center project site. APEC will provide services described in the proposal for the lump sum fee amount of \$1,500.

Commissioner Santelli moved to the AT&T Quote for engineering and installation. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 5) Veridus Group's recommendation letter 09 to proceed with approval of the costs associated for AP Engineering & Consulting, Inc. (APEC) to conduct a radon gas survey in the subsurface portions of the existing structures on site of the Boone County Justice Center expansion project. The sampling is intended to give baseline information regarding the presence of Radon to determine what pre-construction planning (if any) is necessary to protect future uses of the current and future structures. APEC will provide services described in the proposal for the lump sum fee amount of \$2,800.

Commissioner Santelli moved to approve AP Engineering & Consulting, Inc. (APEC) proposal for Radon sampling. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF BID OPENING FOR 2023 ANNUAL MATERIAL BIDS - HIGHWAY

Category #1 – Liquid Asphalt Emulsions and Other Asphalt Materials

COMPANY	DATE/TIME BID RECEIVED
Milestone Contractors 7661 N Perimeter Rd Suit 200 Indianapolis, IN 46241	12/01/2022 @ 10:10 AM
Central Paving PO Box 357 Logansport, IN 46947	11/17/2022 @ 12:07 PM

Category #2 – Stone, Gravel, Sand and Steel Slag Materials

COMPANY	DATE/TIME BID RECEIVED
Engineering Aggregates 2413 S 150 E PO Box 538 Logansport, IN 46947	11/16/2022 @ 8:53 AM
US Aggregates PO Box 68123 Indianapolis, IN 46268	11/22/2022 @ 1:25 PM
Whitesville Mill Service 3718 E Ladoga Rd Crawfordsville, IN 47933	12/01/2022 @ 12:14 PM

Category #3 – Pipe & Culvert Materials

COMPANY	DATE/TIME BID RECEIVED
Civilcon Inc. 605 N Shore Dr. Unit 103 Jeffersonville, IN 47130	12/01/2022 @ 10:29 AM
Metal Culverts PO Box 330 Jefferson City, MO 65102	11/23/2022 @ Time Unknown
St Regis Culvert Inc 1101 S Kitley Ave, Indianapolis, IN 46203	12/01/2022 @ 1:13 PM

Category #4 – Pavement Traffic Markings

COMPANY	DATE/TIME BID RECEIVED
Indiana Sign & Barricade 5240 E 25 th Street, Indianapolis, IN 46218	12/05/2022 @ 7:57 AM

Commissioner Santelli moved to take the bids received under advisement. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF 2022 HOMELAND SECURITY PROGRAM GRANT AGREEMENT

Rachel Hanson, Administrative Assistant for EMA, presented the 2022 Homeland Security Program Grant Agreement in the amount of \$125,000.00 for the purchase of a portable shelter and message boards. The agreement was sent to the signatory, Commissioner Wolfe for signature via the DocuSign system last Friday. Commissioner Santelli has seen the demonstration of the portable shelter and commented on the advantages of having one for the County.

Commissioner Lawson moved to approve ratifying Commissioners Wolfe signature on the 2022 Homeland Security Program Grant Agreement. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

IN THE MATTER OF DEBARMENT AND SUSPENSION CERTIFICATE

County Attorney Bob Clutter presented the Department and Suspension Certification on behalf of the Boone County Senior Services, Inc (BCSSI) as Operator of federal grant funds from Boone County by virtue of a grant agreement with the Indiana Department of Transportation (INDOT) and the Federal Transportation Agency (FTA) for the receipt of 5311 Funds.

Commissioner Santelli moved to approve the Department and Suspension Certification on behalf of the Boone County Senior Services, Inc (BCSSI). Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF ORDINANCE 2022-05 AMENDED ORDINANCE ESTABLISHING FEE SCHEDULE FOR SERVICES AND RECORDS PROVIDED BY THE BOONE COUNTY HEALTH DEPARTMENT

County Attorney Bob Clutter presented Ordinance 2022-05 to amend the ordinance establishing the fee schedule for services and records provided by the Boone County Health Department and read it aloud in pertinent parts pursuant to state law. The Ordinance is to incorporate the following change(s):

- ***Mobile Food Establishment Plan Review Fee*** ***\$50.00***

Commissioner Santelli moved to approve Ordinance 2022-05 to amend the ordinance establishing the fee schedule for services and records provided by the Boone County Health Department. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF INMATE CALLING SOLUTIONS LLC SERVICES AGREEMENT

County Sheriff Michael Nielsen presented the Inmate Calling Solutions, LLC (dba ICSolutions (ICS)) Agreement for inmate telephone services.

Commissioner Santelli moved to approve the Inmate Calling Solutions, LLC services agreement. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF KEEFE COMMISSARY NETWORK, LLC SERVICES AGREEMENT

County Sheriff Michael Nielsen presented the Keefe Commissary Network LLC services agreement.

Commissioner Santelli moved to approve the Keefe Commissary Network LLC services agreement. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

**IN THE MATTER OF LEBANON UTILITY POLE PERMIT FOR RECOMMENDATION
LETTER 01 – INDIANAPOLIS AVE. FIBER**

Max Mendenhall, Director of Capital Investments, presented the Lebanon Utilities Pole Attachment License Agreement per Veridus Group’s revised recommendation letter 01 to proceed with the approval of the costs associated with the JDH Contracting, Inc. Estimate P6845 dated June 30, 2022 for the overhead fiber replacement route. Cable routing revisions subsequent to determining Annex conduit in unavailable, as well as onsite reviews for solutions in coordination with Lebanon Utilities will result in not-to-exceed (NTE) added cost of \$19,500.

Commissioner Santelli moved to approve presented the Lebanon Utilities Pole Attachment License Agreement – Indianapolis Ave. Fiber. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

**IN THE MATTER OF LEBANON UTILITY POLE PERMIT FOR RECOMMENDATION
LETTER 04 – DIVERSE FIBER ROUTE**

Max Mendenhall, Director of Capital Investments, presented the Lebanon Utilities Pole Attachment License Agreement per Veridus Group’s revised recommendation letter 04 to proceed with approval of the costs associated with the attached JDH Contracting, Inc. Estimate P6919 dated August 17, 2022, for diverse overhead fiber route between Boone County Sheriff’s Office and Courthouse. A Pole Attachment License Agreement is required to be filed with Lebanon Utilities based on attached proposed routing and utility pole schedule.

Labor and Equipment	\$ 83,730.00
Materials	\$ 30,149.00
Diverse Overhead Fiber Route Total	\$ 113,879.00

Commissioner Santelli moved to approve the Lebanon Utilities Pole Attachment License Agreement – Diverse Fiber Route. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

**IN THE MATTER OF FREEHILL ASPHALT CONSTRUCTION AGREEMENT
FOR PROJECT 2022-04, CRACK SEALING IN VARIOUD TOWNSHIPS**

Nick Parr, Director of Highways, presented the Freehill Asphalt agreement for construction for Project 2022-04, crack sealing in various townships. The contract total not-to-exceed amount is \$173,974. This project includes crack sealing various roads throughout our jurisdiction that have been identified by our staff as needing this pavement preservation treatment.

Commissioner Santelli moved to approve the Freehill Asphalt agreement for construction for Project 2022-04, crack sealing in various townships. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

**IN THE MATTER OF DUNCAN ROBERTSON CONSTRUCTION AGREEMENT
FOR PROJECT 2020-14, BRIDGE 148**

Nick Parr, Director of Highways, requested approval of Duncan Robertson construction agreement subject to the Boone County Highway Department receiving notice of award from the Indiana Department of Transportation (INDOT) for the Community Crossing Matched Grant (CCMG) for Project 2020-14, Bridge 148, which is on CR 600 W south of CR 200 S. The announcement of the award is supposed to be released tomorrow. Duncan Robertson was the lowest bidder and met the requirements indicated in the bid documents. The total not to exceed amount for the construction agreement is \$946,601.00

Commissioner Santelli moved to approve the Duncan Robertson construction agreement for Project 2020-14, Bridge 148. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

**IN THE MATTER OF CONEXCO CONSTRUCTION AGREEMENT
FOR PROJECT 2022-09, GRASSY BRANCH BRIDGE NO. 151 & 152**

Nick Parr, Director of Highways, presented the Conexco construction agreement for Project 2022-09, Grassy Branch Bridge No. 151 & 152. The bridges are replacing two existing small structures that are inadequately sized for the Grassy Branch ditch that is being dredged. ARPA funds are being used for this drainage improvement project. The total not-to-exceed amount for the construction agreement is \$944,857.

Commissioner Santelli moved to approve the Conexco construction agreement for Project 2022-09, Grassy Branch Bridge No. 151 & 152. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

**IN THE MATTER OF CONEXCO CONSTRUCTION AGREEMENT
FOR PROJECT 2021-08, UN-015 SMALL STRUCTURE REPLACEMENT**

Nick Parr, Director of Highways, presented the Conexco construction agreement for Project 2021-08, UN-015 Small Structure Replacement. This small structure is located on CR 300 S between CR 800 E and CR 875 E. The total not-to-exceed amount for the construction agreement is \$247,297.

Commissioner Lawson moved to approve the Conexco construction agreement for Project 2021-08, UN-015 Small Structure Replacement. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

IN THE MATTER OF OLD BUSINESS

2023 Board and Other Appointments:

BOARD APPOINTMENTS	TERM	TERM BEGINS	TERM EXPIRES
AREA PLAN BOARD			
Kasey Copeland	4 Year	1/1/2023	12/31/2026
BOARD OF ZONING APPEALS			
Kasey Copeland	4 Year	1/1/2023	12/31/2026
Danielle Morrison	4 Year	01/01/203	12/31/2026
ALCOHOLIC BEVERAGE BOARD			
Bill Sutton	1 Year	1/1/2023	12/31/2023
BOONE COUNTY HEALTH BOARD			
Anne Patterson	4 Year	1/1/2023	12/31/2026
John Cowan	4 Year	1/1/2023	12/31/2026
Michael Reynolds	4 Year	1/1/2023	12/31/2026
HEALTH OFFICER			
Dr. Herschell Servies, Jr.	4 Year	1/1/2023	12/31/2026
** Certifying / accepting the Health Board's appointment of Dr. Herschell Servies, Jr. **			
HOSPITAL BOARD TRUSTEES			
Brett G. Bayston	4 Year	1/1/2023	12/31/2026
Andrea Castetter	4 Year	1/1/2023	12/31/2026
LEBANON PUBLIC LIBRARY BOARD			
Richard Milam	4 Year	1/1/2023	12/31/2026
PTA/BOA			
Dan Lamar	1 Year	1/1/2023	12/31/2023
Huck Lewis	1 Year	1/1/2023	12/31/2023
Bart Archer	1 Year	1/1/2023	12/31/2023
REDEVELOPMENT COMMISSION			
Tom Lingafelter	1 Year	1/1/2023	12/31/2023
Mark Ransom	1 Year	1/1/2023	12/31/2023
Judi Hendrix	1 Year	1/1/2023	12/31/2023
REGION 5 DEPT OF PLANNING COM			
Anthony "Tony" Harris	1 Year	1/1/2023	12/31/2023

SOLID WASTE DISTRICT BOARD

Matthew Gentry

1 Year

1/1/2023

12/31/2023

Commissioner Santelli moved to approve the Board Appointments for 2023. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

OTHER APPOINTMENTS**TERM****TERM BEGINS****TERM EXPIRES****BOONE COUNTY EMPLOYEE
SAFETY OFFICER**

Max Mendenhall

1 Year

1/1/2023

12/31/2023

Commissioner Lawson moved to approve Max Mendenhall as Safety Officer. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

CAPITAL INVESTMENTS DIRECTOR

Max Mendenhall

1 Year

1/1/2023

12/31/2023

Commissioner Lawson moved to approve Max Mendenhall as Director of Capital Investments. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

BOONE COUNTY ATTORNEY

Bob Clutter

1 Year

1/1/2023

12/31/2023

Commissioner Santelli moved to approve Bob Clutter / TCMS&C as County Attorney. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

BOONE COUNTY ENGINEER

Michael Goralski

1 Year

1/1/2023

12/31/2023

Commissioner Lawson moved to approve Michael Goralski as County Engineer. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

**BOONE COUNTY HIGHWAY
DIRECTOR**

Nick Parr

1 Year

1/1/2023

12/31/2023

Commissioner Santelli moved to approve Nick Parr as Director of Highways. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

**BOONE COUNTY HUMAN
RESOURCES DIRECTOR**

Megan Smith

1 Year

1/1/2023

12/31/2023

Commissioner Santelli moved to approve Megan Smith as Director of Human Resources. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

VETERAN SERVICE OFFICER

Mike Spidel

1 Year

1/1/2023

12/31/2023

Commissioner Lawson moved to approve Mike Spidel as Veterans Affairs Service Officer. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

WEIGHTS AND MEASURES

Michael Cunningham

1 Year

1/1/2023

12/31/2023

Commissioner Santelli moved to approve Michael Cunningham as Weights & Measurers. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

PROJECT MANAGER

Mike Nielsen

1 Year

1/1/2023

12/31/2023

Commissioner Santelli moved to approve Mike Nielsen as Project Manager. Motion seconded by Commissioner Lawson; 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

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

- 1) Construction in right-of-way permit (#202210070) for Michael Herr at CR 275 E and CR 675 S to bore drainage tile under CR 675 S. The Boone County Highway Department recommends approval with a \$5,000 Bond.

Commissioner Santelli moved to approve the construction in right-of-way permit (#202210070) for Michael Herr. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 2) Construction in right-of-way permit (#202210071) for Duke Energy at Bridge #148, CR 600 W south of Max for the relocation of utilities for the bridge replacement project. The Boone County Highway Department recommends approval and to waive the bond fee due to it being for a county project.

Commissioner Santelli moved to approve the construction in right-of-way permit (#202210071) for Duke Energy. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 3) Construction in right-of-way permit (#202210072) for TDS Telecom at CR 550 S west of SR 267 for underground construction to provide new services. The Boone County Highway Department recommends approval with a \$35,000 Bond, subject to working with the Surveyor's office and any changes they request.

Commissioner Santelli moved to approve the construction in right-of-way permit (#202210072) for TDS Telecom. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 4) Construction in right-of-way permit (#202210069) for Metro Fibernet LLC to bore under Hunt Club Road. The Boone County Highway Department recommends approval with a \$5,000 Bond. Commissioner Santelli moved to approve the construction in right-of-way permit (#202210069) for Metro Fibernet LLC. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.
- 5) Road closure permit (#202230008) for Duke Energy at Bridge #148, CR 600 W south of Max. This will be a temporary daytime closure from December 5, 2022 through December 16, 2022. The Boone County Highway Department recommends approval. Commissioner Lawson moved to approve the road closure permit (#202230008) for Duke Energy. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.
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IN THE MATTER OF DOCUMENT SIGNING

- 1) Affidavit for payment the following companies relating to the Boone County Justice Center (BCJC) expansion project:
- i. Lochmueller Group in the amount of \$7,440.00 for the Cemetery Development Plan.
 - ii. Meridian Title Corporation in the amount of \$30,630.00 for the title search and owner's policy.
 - iii. Hagerman Inc. in the amount of \$2,776,364.88 for the construction
 - iv. JDH Contracting, Inc in the amount of \$110,337.21 for fiber replacement
 - v. Boone County Commissioner in the amount of \$198,950.08 to reimburse 1000.0068 for BCJC expenses.

Commissioner Santelli moved to approve ratifying the affidavits for payments signed by Commissioner Wolfe as presented. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 2) Claims Dockets – regular, prepaids, payroll, and insurance. Commissioner Santelli moved to approve Budgetary Claims presented from the Auditor's Office. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.
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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 Santelli moved to adjourn the Boone County Commissioners' Meeting at 10:07 AM on Monday, December 5, 2022. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.