

BOONE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE FEBRUARY 21, 2023 MEETING

The Boone County Board of Commissioners met in regular session at 9:00 AM on Tuesday, February 21, 2023 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:

Donnie Lawson	Commissioner, President
Jeff Wolfe	Commissioner, Vice President
Tim Beyer	Commissioner
Bob Clutter	County Attorney
Kaylee Jessie	Executive Administrator

DETERMINATION OF QUORUM AND PLEDGE TO THE FLAG

Commissioner Lawson opened the meeting at 9:15 AM with a quorum of all three (3) Commissioners present. The Pledge to the Flag took place during the Drainage Board Meeting this morning.

IN THE MATTER OF MINUTES

Commissioner Wolfe moved to approve the Minutes of February 6, 2023 Commissioners' Meeting as presented. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

BOONE COUNTY BOARD OF FINANCE

Commissioner Lawson opened the Boone County Board of Finance meeting at 9:16 AM. There was a notice in The Lebanon Reporter (1/31) and The Indy Star (1/29) advertising the annual Board of Finance meeting. The Boone County Treasurer Nicole "Nikki" Baldwin submitted the 2022 Month Interest Earnings Report by Bank for the Boards review and adoption. County Attorney Bob Clutter went over the items on the report.

Commissioner Beyer moved to approve authorizing Treasurer Baldwin to continue with the existing investments in accordance to state statute. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

Commissioner Wolfe moved to close the Board of Finance meeting at 9:18 AM. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF LEGAL ISSUES

Attorney Bob Clutter presented the following items:

- 1) Boone County Clerk Lisa Bruder submitted the request to use the courthouse facility for a Vote Center on the following dates;
 - Saturday, April 22, 2023

- Friday, April 28, 2023
- Saturday, April 29, 2023
- Tuesday, May 2, 2023

Commissioner Wolfe moved to approve the use of the courthouse for a Vote Center. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI) CONTRACTS / MOU

Lauri Thompson, JDAI Coordinator, presented the following JDAI Contracts;

- Ted Hedges to engage in professional services providing educational/art instruction to students.
- Lindsay Smith to engage in professional services providing educational/art instruction to students.
- Zoe Stratton to engage in professional services providing educational/art instruction to students.
- Geena Lozano to engage in professional services providing educational/art instruction to students.

Lauri Thompson, JDAI Coordinator, presented the following Memorandum of Understandings (MOU);

- Boone County Mentoring Partnership
- We All Matter (“WAM”)

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

IN THE MATTER OF CENTREX RENEWAL CONTRACT

Sean Horan, GUTS/IT Support, presented the AT&T Centrex Service renewal contract with the Indiana QPA rate.

Commissioner Beyer moved to approve the AT&T Centrex Service renewal contract. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF BURKE ENGINEERING CONTRACT

County Surveyor Carol Cunningham presented the Burke Engineering renewal contract for professional engineering services related to private development plan reviews within Boone County. The contract was also presented during the Drainage Board meeting today.

Commissioner Wolfe moved to approve the Burke Engineering renewal contract for professional engineering services. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF BRIAN DAGGY INDEPENDENT CONTRACT AGREEMENT FOR SERVICES

Kathy Clawson, Surveyor Administrative Assistant / Chairman of the Soil & Water Conservation Board, presented Brian Daggy’s independent contract agreement to provide services for duties assigned by the Soil & Water Conservation District Office. The fee for service is \$40/per hour.

Commissioner Beyer moved to approve Brian Daggy's independent contract agreement. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF TRUE CODES ADDENDUM

Megan Smith, Human Resources Director, presented the True Codes Addendum. Several medications are assigned a billing code, which is used for the purpose of billing medical plans for reimbursement for a drug and its administration. These drugs commonly, but not always, involve more complex administration than a patient is typically able to provide for themselves. Claims often have limited information regarding dose or quantity of the drug being administered. A True Code review is the process of evaluating the medications for potential cost reduction of the treatment. This may involve evaluating the appropriateness of the medication to be given in an alternative site of care, such as home infusion, and/or evaluating the cost of the medication if it was processed through the pharmacy benefit instead of the medical benefit.

True Codes will consist of a qualified pharmacist from True Rx's staff, reviewing members' records, identifying medication, evaluating appropriateness of the medication to be given at alternative sites of care, and evaluating the cost of the medication through the pharmacy benefit.

This could be a major cost savings for the member and the Plan.

Commissioner Wolfe moved to approve the True Codes Addendum. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF TRUE RX PHARMACY BENEFIT PLAN DESIGN

Megan Smith, Human Resources Director, presented the TrueRx Pharmacy Benefit Plan Design. The Benefit Plan Design was updated for TrueCodes and reflects the change in the embedded family deductible to \$3,000 per IRS.

Commissioner Wolfe moved to approve the TrueRx Pharmacy Benefit Plan Design. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF RESOLUTION 2023-03 AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

Max Mendenhall, Capital Investments Director, presented a list of Boone County Highway Department equipment to be declared surplus. These items are outdated, no longer useful, and has negligible value. County Attorney Bob Clutter presented Resolution 2023-03 authorizing disposal of surplus property and read it aloud in pertinent parts pursuant to state law.

Commissioner Wolfe moved to approve Resolution 2023-03 authorizing disposal of surplus property for the Boone County Highway Department. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

**IN THE MATTER OF BRAND ELECTRIC GENERATOR PROPOSAL
TO REPLACE ANNEX GENERATOR**

Max Mendenhall, Capital Investments Director, presented the Brand Electric Generator proposal to replace the Boone County Annex Building generator. The total amount of the proposal is \$95,750.

Commissioner Wolfe moved to approve the Brand Electric Generator proposal. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF TOTAL TRUCK PARTS CREIT APPLICATION

Max Mendenhall, Capital Investments Director, presented the Total Truck Parts credit application.

Commissioner Beyer moved to approve the Total Truck Parts credit application. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF CHA AGREEMENT FOR THE DESIGN OF BRIDGE 139 REPLACEMENT

This item was tabled for a future meeting.

IN THE MATTER OF MARSEE TREE SERVICES AGREEMENT

Nick Parr, Highways Director, presented the Marsee Tree Services Agreement for tree removal along the north side of the project limits for Project 2019-04 Bridge 192 Replacement. The trees are being moved prior to the project letting so the utility companies can get started on relocation of their facilities. The total estimate is \$32,500. Three quotes were requested for this project and Marsee was the lowest bid.

Commissioner Beyer moved to approve the Marsee Tree Services Agreement. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF CENTRAL PAVING INC. AGREEMENT

Nick Parr, Highways Director, presented the Central Paving Agreement for PUG mixing. The work will be billed at \$0.46/per gallon of liquid asphalt used, with a not-to-exceed of \$80,000.

Commissioner Beyer moved to approve the Central Paving Agreement. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

**IN THE MATTER OF INDOT LOCAL ROADS AND BRIDGES
MATCHING GRANT AGREEMENTS**

Nick Parr, Highways Director, presented the following Indiana Department of Transportation (“INDOT”) Local Roads and Bridges Matching Grant Agreements;

- **Des #1500160 Unofficial Local Detour (“ULD”) Reimbursement:**

Requesting execution of the ULD reimbursement agreement for the restoration cost incurred during the US 52 ramp closure. The total reimbursement is \$11,456.65 for dust control applied and repairs made to the local roads during and after the INDOT project.

Commissioner Wolfe moved to approve Des #1500160 Unofficial Local Detour Reimbursement. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- **Des #1601077 Unofficial Local Detour (“ULD”) Reimbursement:**

Requesting execution of the ULD reimbursement agreement for the restoration cost incurred during the SR 39 closure from CR 250 S to CR 450 S. The total reimbursement is \$9,762.43 for repairs made to the local roads during and after the INDOT project.

Commissioner Wolfe moved to approve Des #1601077 Unofficial Local Detour Reimbursement. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- **Des #1600877 Unofficial Local Detour (“ULD”) Reimbursement:**

Requesting execution of the ULD reimbursement agreement for the restoration cost incurred during the SR 75 closure between CR 150 S and CR 200 S. The total reimbursement is \$19,961.12 for repairs made to the local roads during and after the INDOT project.

Commissioner Wolfe moved to approve Des #1600877 Unofficial Local Detour Reimbursement. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- **Des #1701584 Unofficial Local Detour (“ULD”) Reimbursement:**

Requesting execution of the ULD reimbursement agreement for the restoration cost incurred during the SR 39 closure between CR 450 S and CR 500 S. The total reimbursement is \$14,356.09 for repairs made to the local roads during and after the INDOT project.

Commissioner Wolfe moved to approve Des #1701584 Unofficial Local Detour Reimbursement. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF MOU BETWEEN BOONE COUNTY AND CITY OF LEBANON

County Attorney Bob Clutter presented the Memorandum of Understanding (“MOU”) between Boone County and the City of Lebanon memorializing the matters pertaining to certain real estate owned by Boone County with various improvements. In late 2005, the City of Lebanon began the process of annexing property into the city. Boone County did not object to the annexation based upon a commitment that the County would retain all land use and permitting jurisdiction and decisions (in accordance with I.C. 36-7-4 and related statutes) for County owned property. A copy of the MOU has been sent to legal counsel for the City of Lebanon prior to today’s meeting for review.

Commissioner Wolfe commented on his disappointment how this was addressed during the last council meeting by Mayor Matt Gentry. Some people left the meeting under the impression that the County did not take the proper steps on obtaining permits for the Boone County Justice Center expansion project. There were meetings held in November/December of last year with Mayor Matt Gentry and legal counsel to discuss MOU. County Attorney Bob Clutter drafted the MOU and sent it to the City on January 16, 2023. The County has not received comments from the City of Lebanon or their legal counsel regarding the MOU. Commissioner Wolfe has personally met with former members of the City of Lebanon Council who were on the Board during the time of the annexation, and they have also agreed that this was their understanding at that time.

Commissioner Wolfe moved to approve the Memorandum of Understanding between Boone County and the City of Lebanon. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF ARP PROJECT LIST AMENDMENTS

Michael Nance, Community Corrections Director, presented the request of American Rescue Plan (“ARP”) Act funds for the Community Corrections Opioid Grant Match - \$225,000 or up to 45%. Multiple stakeholders/entities have given verbal commitments to contribute monies towards the Grant match. Commissioner Wolfe wanted to recognize Michael Nance’s for his hard work. It is very impressive that he was able to get many entities together and work on the collaboration for this Grant application in such a short time period. This would be a very effective tool to expand our treatment with several of these programs.

Commissioner Wolfe recommended creating a sub-committee to make final decisions on the monies if the County is awarded funding from the Opioid Grant. Commissioner Wolfe moved to appoint Michael Nance, Councilman Don Lamb, Councilwoman Jennifer Hostetter, and himself to the sub-committee. Commissioner Beyer seconded the motion; motion passed unanimously 3-0.

Commissioner Wolfe moved to approve allocating \$225,000 or up to 45% of ARP funds for the match for the Community Corrections Opioid Grant. Commissioner Beyer seconded the motion; motion passed unanimously 3-0.

Commissioner Wolfe moved to amend the County’s American Rescue Plan Act funding plan as follows:

A. Proposed Actions to Support Public Health Expenditures.

- i. Investment in Boone County Drug Court – Estimated cost of \$80,000 (EC 1.13)
- ii. Infirmary and programming space at county correctional facility for treatment of inmates and to provide space for mental health and substance abuse programming – Estimated cost of \$2,250,000 (EC 1.12)
- iii. Economic Development Corporation/Community Corrections life skills and financial training – Estimated cost of \$125,000 (EC 2.10)
- iv. Boone County Child Advocacy Center (CAC) and Witham Hospital for Center of Hope – Estimated Cost \$10,000 (EC1.12)
- v. Community Corrections Opioid Grant Match – Estimated cost \$225,000**

B. Proposed Actions to Respond to the Negative Economic Impacts of COVID-19.

- i. Grant to Convention and Visitors Bureau for lost revenues – Estimated cost of \$280,000 (EC 2.35)
- ii. Grant to Witham Hospital for lost revenues – Estimated cost of \$350,000 (EC 2.36)

C. Proposed Uses for the Replacement of Lost Public Sector Revenues.

- i. County information technology updates and cybersecurity improvements to protect citizen health data – Estimated cost of \$350,000 (EC 6.1)
- ii. Protective and remote equipment for Boone County Highway Department – Estimated cost of \$110,000 (EC 6.1)
- iii. Boone County Child Advocacy Center (CAC) for lost revenues - Estimated cost of \$21,400

D. Proposed Actions to Invest in Water, Sewer and Broadband Infrastructure.

- i. Grassy Branch regulated drain and two bridge replacements necessary for reconstruction – Estimated cost of \$3,000,000 (EC 5.6)
- ii. Thorntown sanitary sewer project and lagoon enlargement – Estimated cost of \$2,000,000 (EC 5.2)
- iii. Broadband service expansion – Estimated cost of \$2,000,000 (EC 5.21)
- iv. Terhune drainage improvements – Estimated cost of \$300,000 (EC 5.6)
- v. Pearson regulated drain reconstruction and replacement or repair of bridges and culverts necessary for reconstruction – Estimated cost of \$150,000 (EC 5.6)

- vi. Jackson Run two-stage ditch improvements to County Road 650 East – Estimated cost of \$400,000 (EC 5.6)
 - vii. Trailside 36-inch outlet across Main Street – Estimated cost of \$250,000 (EC 5.6)
 - viii. Carroll regulated drain reconstruction – Estimated cost of \$500,000 (EC 5.6)
 - ix. Advance wastewater generators project – Estimated cost of \$132,000 (EC 5.2)
 - x. Highway Department for Bridge 21 – Estimated cost of \$225,000 (EC 5.6)
- E. Revenue Replacement and Administrative Expenses*
- i. Costs of administering the program (EC 7.1)
 - ii. Provision of government services, replacing lost revenue – All remaining funds (EC 6.1)

Commissioner Beyer seconded the motion; motion passed unanimously 3-0.

IN THE MATTER OF OLD BUSINESS

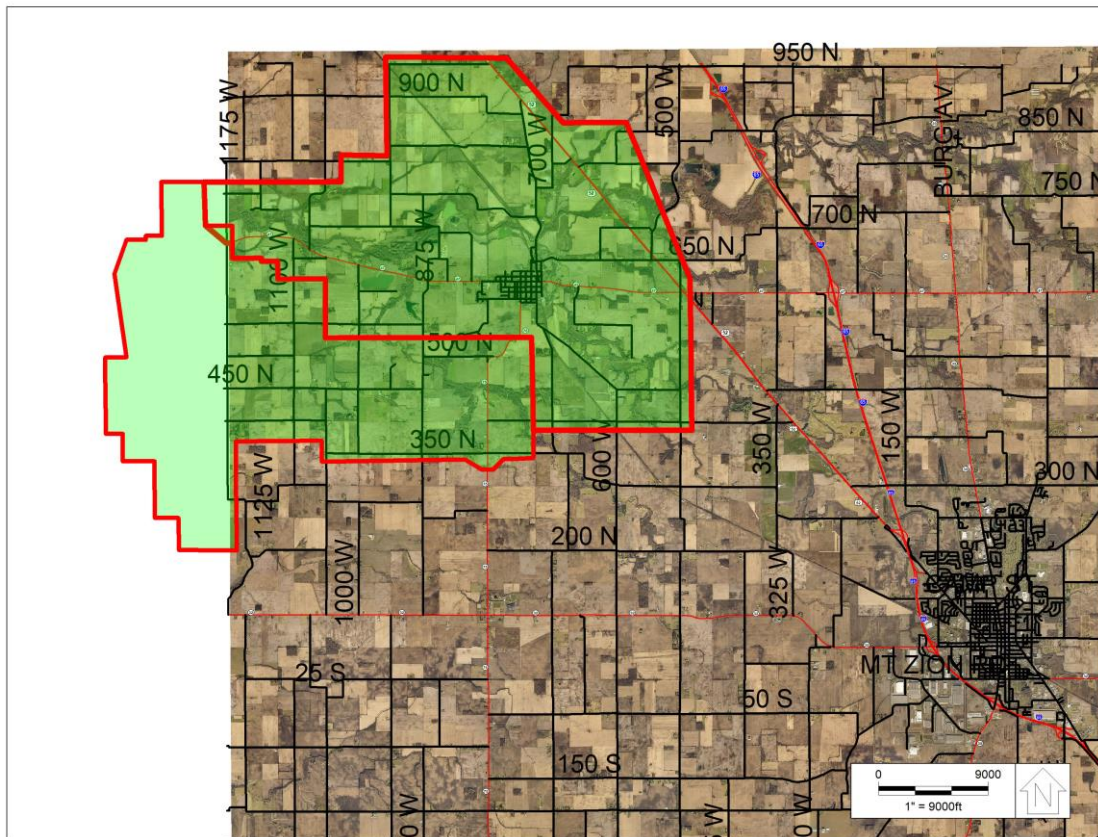
There was none at this time.

IN THE MATTER OF STAFF REPORTS

- APC –
- Capital Investments / Facilities – 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) The Recommendation for Administrative Settlement for Parcel 1 for the Bridge 152 Project. Commissioner Beyer moved to approve the Recommendation for Administrative Settlement for Parcel 1 for the Bridge 152 Project. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.
- 2) Other Highway Items for Information/Discussion;
 - Proposed Spectrum/Charter fiber build in the northwest part of Boone County (See image below.)
 - Attaching to existing poles is preferred
 - Recommend bore for remaining areas – additional depth at culverts and ditches
 - An easement if rows of new poles are proposed
 - Hiring a third party for inspection and oversight of contractors – requiring reimbursement
 - Coordinating with the Boone County Surveyor's Office to protect legal drains
 - Bonds and permit fees apply



IN THE MATTER OF DOCUMENT SIGNING

1) Key request form for Dawn Poole.

Commissioner Wolfe moved to approve the key request. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

2) An affidavit for payment to GM Development in the amount of \$1,457,745.81 for the construction of the Boone County Justice Center expansion project.

Commissioner Wolfe moved to approve the affidavit for payment to GM Development. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

3) An affidavit for payment to Lochmueller Group in the amount of \$2,408.96 for engineering service on the SC015 culvert replacement project.

Commissioner Beyer moved to approve the affidavit for payment to Lochmueller Group. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

4) Claims Dockets – regular, prepaids, payroll, and insurance.

Commissioner Wolfe moved to approve Budgetary Claims presented from the Auditor's Office. Motion seconded by Commissioner Beyer; 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 Beyer moved to adjourn the Boone County Commissioners' Meeting at 9:54 AM on Tuesday, February 21, 2023. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.