

BOONE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE AUGUST 7, 2023 MEETING

The Boone County Board of Commissioners met in regular session at 9:00 AM on Monday, August 7, 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 9:05 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 July 3, 2023 and July 17, 2023 Commissioners' Meetings as presented. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF MEMORANDUM FOR THE EXECUTIVE SESSION

Commissioner Beyer moved to approve the Memorandum for the July 31, 2023 Executive Session 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)** The request to release/accept the following bonds:
 - Release Performance Bonds for Storm & Erosion Control @ Paul Property 4921 E 450 S Whitestown in the amount of \$456,500.00
 - Accept Maintenance Bond for Storm Drain @ Paul Property 4921 E 450 S Whitestown in the amount of \$111,760.00
 - Accept Maintenance Bond for Storm Drains for Bridle Oaks Section 3 in the amount of \$50,667.00
 - Accept Maintenance Bond for Erosion Control for Bridle Oaks Section 3 in the amount of \$21,658.89
 - Accept Performance Bond for Cardinal Pointe Section 4 Erosion Control in the amount of \$111,900.00

The Boone County Surveyor's Office has reviewed the bonds and recommends the release/acceptance of the bonds as presented.

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

IN THE MATTER OF BCSSI / BOONE AREA TRANSIT SYSTEM QUARTER 2 CLAIM

County Attorney Bob Clutter presented the Boone County Senior Services (BCSSI) / Boone Area Transit System (BATS) Quarter 2 claim in the amount of \$140,889.00.

Commissioner Wolfe moved to approve the BCSSI / BATS Quarter 2 claim. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF K2M DESIGN PROPOSAL FOR NEEDS ASSESSMENT SERVICES

Commissioner Wolfe presented the K2M Design proposal for the needs assessment services of the operational and physical needs of Boone County government facilities. The total cost of the proposal is \$202,760.00.

Commissioner Beyer moved to approve K2M Design Proposal for needs assessment services. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF CONSULTING AGREEMENT FOR THE ASSESSOR'S OFFICE

County Attorney Bob Clutter presented the Kenneth J. Rogers consulting agreement on behalf of County Assessor Jennifer Lasley. These services include reviewing and evaluating documentation submitted or exchanged by taxpayers and Boone County related to appeals of real property assessments in Boone County, Indiana and consulting with the Boone County Assessor's Office staff and/or contract vendors regarding the accuracy, relevance and sufficiency of appeal evidence. The consultant service rate is \$50 per hour. Commissioner Wolfe spoke highly about Kenneth Rogers and his experience.

Commissioner Wolfe moved to approve authorizing Assessor Lasley to execute the Consulting Agreement with Kenneth J. Rogers. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF ROAD CONSTRUCTION SCHEDULE UPDATE FOR THE ELI LILLY PROJECT

Michael Watts, Senior Development Manager for Pure Development, provided an update on the road construction schedule for the Eli Lilly Project. They continue to have weekly meetings with emergency services, school corporations, and the county highway department inspectors every Wednesday. Pure Development has provided a set of plans marked up to show current right-of-way control. Based on the weather today, contractors onsite are starting to install erosion control items. There will be demo crews onsite to begin the demolition of some homes and clearing the site.

Preliminary schedule for road construction:

- Witt Road N
 - The closure is scheduled to begin on August 21, 2023. Bridge work will follow shortly after the Witt Road N closure. The goal is to finish the bridge structure on Witt Road N by December 14, 2023. Construction will return approximately in the second quarter after asphalt plants open back up to lay the surface course down and final pavement markings before closing out the project.
- CR 450 N / Eastern Bypass
 - The closure is scheduled to begin on August 21, 2023. Construction will return approximately in the second quarter after asphalt plants open back up to lay the surface course down and final pavement markings before closing out the project.
- CR 375 N
 - The closure is scheduled to begin on September 1, 2023, and bridge construction removal in October. They are anticipating the closure will last 2 – 3 weeks. Construction will return approximately in the second quarter after asphalt plants open back up to lay the surface course down and final pavement markings before closing out the project.

IN THE MATTER OF OLD BUSINESS

1) Michael Nielsen presented the following Boone County Justice Center updates:

Safety

- 97 days without a recordable incident.
- Walked through site with Lebanon Fire to discuss medical runs and fire fighting in current facility.
- LPD Shooting range entry is causing confusion for those wanting to enter the range. They are coming into the construction site. I have spoken to Chief Morgan, and he is addressing via social media as well as additional signage.
- Daily and weekly safety meetings continue.

Issues

- Working through with Surveyor the 250 feet of concrete drainage area coming out of the twin 30-inch structures. Structure 126a and 141a. Replacing with Riprap and removing concrete. Issues with maintenance over the course of time.

Milestones accomplished since last update

- Testing of concrete continues by Alt Witzig.
- Continuing of interior walls in Building B and working on structural walls in Building A.

2) Michael Nielsen presented the following TimeClock Plus updates:

- The team continues to work on the integration. There was a module that was purchased that had not been implemented yet, so they are working on this as well.

IN THE MATTER OF STAFF REPORTS

- APC – Stephen Elkins
- 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) Construction in right-of-way permit (#202310074) for Boone REMC at North Witt Road, from Karen Metzger property to 4820 N 150 W for relation by directional bore. The Boone County Highway Department recommends approval with a \$10,000 Bond.

Commissioner Beyer moved to approve the construction in right-of-way permit (#202310074) for Boone REMC. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 2) Construction in right-of-way permit (#202310075) for Boone REMC at CR 375 N, from railroad tracks to SR 39 for the relocation of 3-Phase lines. The Boone County Highway Department recommends approval with a \$5,000 Bond.

Commissioner Wolfe moved to approve the construction in right-of-way permit (#202310075) for Boone REMC. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- 3) Construction in right-of-way permit (#202310076) for Charter Communications at various locations in rural Whitestown/Zionsville area to attach to existing REMC poles and partial directional bore. The Boone County Highway Department recommends a conditional approval (pre-conference and inspection) with a \$85,000 Bond.

Commissioner Beyer moved to approve the construction in right-of-way permit (#202310076) for Charter Communications. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 4) Construction in right-of-way permit (#202310077) for Boone REMC at small structure WO-016/Bridge 593, CR 100 S west of CR 600 E for the relocation project 2021-10. The Boone County Highway Department recommends approval and the bond to be waived.

Commissioner Beyer moved to approve the construction in right-of-way permit (#202310077) for Boone REMC. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 5) Construction in right-of-way permit (#202310078) for Boone REMC at 190 N 600 E Lebanon, IN for new power installation to a new barn. The Boone County Highway Department recommends approval with a \$5,000 Bond.

Commissioner Beyer moved to approve the construction in right-of-way permit (#202310078) for Boone REMC. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 6) Construction in right-of-way permit (#202310079) for AT&T at North Witt Road, from approximately 2600 feet south of CR 450 N to CR 525 N for the relocation project for the IEDC. The Boone County Highway Department recommends approval with a \$35,000 Bond.

Commissioner Wolfe moved to approve the construction in right-of-way permit (#202310079) for AT&T. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- 7) Construction in right-of-way permit (#202310080) for Boone REMC at 6755 N 200 E Morton Farms for new power installation to a new barn. The Boone County Highway Department recommends approval with a \$5,000 Bond.

Commissioner Beyer moved to approve the construction in right-of-way permit (#202310080) for Boone REMC. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 8) Construction in right-of-way permit (#202310081) for Miller Pipeline at 663 Russell Lake Drive for new gas service installation. The Boone County Highway Department recommends approval with a \$5,000 Bond.

Commissioner Beyer moved to approve the construction in right-of-way permit (#202310081) for Miller Pipeline. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 9) Road closure permit (#202330014A, B, C) for Milestone at various locations.
- A. CR 450 N – approximate closure dates 08/07/2023 – 06/30/2024
 - B. CR 375 N – approximate closure dates 08/07/2023 – 06/30/2024
 - C. CR 150 W (North Witt) – approximate closure dates 08/07/2023 – 06/30/2024

The Boone County Highway Department recommends approval subject to conditions that go along with the right-of-way permit conditions approved. They will provide access to the residents, public safety, and school transportation.

Commissioner Wolfe moved to approve the road closure permit (#202330014A, B, C) for Milestone at various locations and the conditions. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- 10) Road closure permits (#202330015 A-L) for Safety Services & Supply / CSX at various locations.

Phase 1. – Approximate closure date 09/17/2023

Phase 2. – Approximate closure date 09/25/2023

Phase 3. – Approximate closure date 10/02/2023

The Boone County Highway Department recommends approval subject also meeting with the City of Lebanon, Indiana Department of Transportation (IDOT), public transportation, and public safety personnel to coordinate and stagger some of the closures. Commissioner Lawson volunteered to participate in the meeting.

Commissioner Wolfe moved to approve the road closure permits (#202330015 A-L) for Safety Services & Supply / CSX at various locations and the conditions. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- 11) Road closure permit (#202330016) Stonegate Street closure for a block party on 09/16/2023. The Boone County Highway Department recommends approval.

Commissioner Beyer moved to approve Road closure permit (#202330016) Stonegate Street closure for a block party on 09/16/2023. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 12) Letter of understanding that establishes an Unofficial Local Detour (Des. No. 1800153) on CR 800 S from SR 234 to the Montgomery County Line. SR 234 was recently closed for replacement of a small structure and will remain closed until 09/15/2023. The Boone County Highway Department staff is already coordinating with a dust control provider in an effort to expedite the placement of that material to minimize the impacts to the local residents.

Commissioner Wolfe moved to approve Letter of understanding that establishes an Unofficial Local Detour (Des. No. 1800153). Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

13) Burgess & Niple (B&N) task order #3 that will allow for B&N to review plans for the CR 300 N proposed improvements. These improvements include turn lanes and traffic signals that are part of the Eli Lilly project construction traffic needs. The cost incurred for this work will be reimbursed by the developer of the Eli Lilly project.

Commissioner Beyer moved to approve the Burgess & Niple (B&N) task order #3. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF DOCUMENT SIGNING

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

Commissioner Beyer moved to approve Budgetary Claims presented from the Auditor's Office. Motion seconded by Commissioner Wolfe; 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 9:40 AM on Monday, August 7, 2023. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.