

MINUTES
HAMILTON COUNTY BOARD OF COMMISSIONERS
And
AMERICAN RESCUE ACT PLANNING COMMITTEE

OCTOBER 28, 2022 – 1:30 P.M.
Conference Room 1A
Hamilton County Government and Judicial Center
One Hamilton County Square
Noblesville, Indiana

Commissioner Dillinger called the meeting to order declaring a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger, and Commissioner Mark Heirbrandt.

American Rescue Act Planning Committee members present were County Councilor Brad Beaver, County Councilor Sue Maki, and County Councilor Steve Nation.

BAKERS CORNER

Mr. Marti Wessler presented an update on the US 31 Corridor Utilities (Bakers Corner) financial report showing what the bids came in at and how they got the costs down to the original estimated price that had been discussed. Mr. Connor Sullivan believes all ten of the elected officials have been walked through the whole process noting we had to either move some things that were either part of the original scope or some things that were not essential at the very onset of the project. They then created a priority list. There has been some discussion about whether they would like to add some of these projects back in by either increasing the Bond Anticipation Note (BAN) or by paying for the extra projects through ARPA dollars. The first item you have all agreed on was the booster station to the west, its cost is about \$1.4 million. Everyone agreed to add that to get to the Guaranteed Maximum Price (GMAX) and to the scope of the project. A decision is needed to either for that out of ARPA funds or increase the BAN (Bond Anticipation Note). Sullivan noted if it is added to the BAN it provides more available funding for ARPA projects but there will be interest to be paid over time, either option is acceptable.

Beaver stated they will stick to the plan we have agreed to, the BAN is basically the carrying note that is going to carry this project until we are revenue generating. Beaver suggested it be paid from ARPA dollars as that is what was generally agreed to, \$25 million from ARPA, \$10 million from the state, \$10 million in bonding with getting a little more for the pump which seemed to make sense. If it qualifies for ARPA monies it seems to be the reasonable place to spend it.

Maki confirmed the BAN payback will be paid by the users. Sullivan replied, yes with the payback being pushed out five (5) years with the county just paying the interest. This will give the district time to complete the construction and then once the users come with the first round of developer charges for connection fees, rate users, system development fees, etc. They will also have a backup of TIF (Tax Increment Financing), and the county LIT (Local Income Tax). With that being said we do have to have some debt on this, we cannot charge rates without having some debt in the district's name. From the initial projections that \$8.5 million to \$10 million would need to be sustained to keep the rates as

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planned. Right now the plan has about \$10 million of bonding with an additional \$1.4 million in the BAN or ARPA funds. This has all just been general discussions with the elected officials. Heirbrandt confirmed the question is if we take the \$1.4 million for the booster station from ARPA funds or include it in the BAN. Altman asked if there is a balance of ARPA funds? Mills replied, the balance available is \$7.4 million. Dillinger noted there are several requests pending approval today. Altman wants to reserve the decision until we decide on the other items; unless we hear full discussion on the other items how do we prioritize.

Sullivan noted after that decision is made there are some add/alternates they would like to present for funding. There are three items related to the waste-water treatment plant that add up to \$1 million. If everything goes according to plan that could be paid for out of the contingency. They can be paid for out of ARPA or the BAN and leave the contingency for other items as they come up. Mr. Steve Wood reported there are three items for discussion: 1) Paving of a 16-foot access road at \$320,000; 2) anaerobic treatment to OX ditch at \$280,000; and 3) Aerobic Digester/Sludge Processing at \$403,000. As we expand the plus is they will all be there and they are all needed. The current road is designed with stone which will not hold up. There are two generators needed for the lift stations, if a lift station goes down we would need portable generators to take to the site. Permanent generators would save money and the destruction of homes. The generators cost is \$100,000 for two (2). Operations can occur without these additional items, but it helps with future expansion.

Altman asked what is the timing for the BAN? Sullivan replied we are waiting to determine the dollar amount, which is the last decision. Once we start the BAN we will not be able to add any items. Altman wants to discuss all the items on the table before deciding. Altman confirmed the booster alone is \$1.4 million, with Sullivan noting that is the GMAX everyone has agreed to, it is a matter of how it is being funded.

Dillinger deferred the decision to later in the meeting. Altman reminded everyone as people connect there will be a connection fee, which if originally paid from federal funds (ARPA) can not be recaptured by connection fees. If we borrow funds we can get the reimbursement from the connection fees.

Nation asked about the 236th Street project expressing concern about having to come back and redo the road for the highway project. Sullivan noted that is a timing issue, if they want to install the lines at the same time as the highway project. Wessler noted the 236th Street would be \$2.3 million to install water and sewer while doing the road project on the east side. Heirbrandt stated that project is scheduled for

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2025 with federal dollars. Wessler thinks the east side is scheduled for 2024 with Heirbrandt stating Bridge #201 to Sheridan with Lamong Road is 2025 and construction for US 31 to Deming is 2024.

Nation asked how much do we have appropriated on 236th Street for the road without the sewers? Heirbrandt thinks it is around \$8 million but noted it would be an 80/20 split. Beaver noted it is not absolutely given that you have to tear up the road, it may be inconvenient. Nation is not in favor of spending money then tearing up the road spending more money.

MINUTES

Heirbrandt moved to approve the minutes of September 16, 2022. Altman seconded. Motion carried unanimously.

UPDATED PROJECT LIST

Dillinger stated according to the Auditor there is \$7,412,425.13 funds available. \$2,749,399.26 is being requested today with a balance available of \$4,663,025.87.

Funding Requests:

1. Westfield University - \$2,000,000
2. Broadband - \$100,000
3. Mental Health - \$30,000
4. Sheriff's Department Retro-fit for detectives' relocation - \$121,399.26
5. Joseph & Brooks Arm William Lehr Drain - \$498,000

Westfield University - \$2,000,000

Heirbrandt reported this is a funding request in collaboration with the Westfield Schools, Westfield YMCA, and City of Westfield. City of Westfield has already used \$5 million in ARPA funds. The Westfield Schools will be building part of this with commitments from potentially three (3) four-year universities with two universities committed. We are not planning on announcing to avoid voter confusion this until after the referendum as this project has nothing to do with the referendum, which is for operations. This is something that has been worked on for the last two years with collaboration between the schools and the Pursuit Institute (vocational opportunities). Heirbrandt moved to approve the \$2 million. Altman noted we agreed to go through all the requests before voting. Beaver asked if the

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funds would be put into all the schools, not just a singular building or program? Heirbrandt replied, it would be put into the programming as that is the most difficult to pay for when starting. It would be for teachers and supplies. Maki asked how this qualifies for ARPA with Clevenger stating it qualifies under revenue reduction.

Broadband - \$100,000

Mr. Mike Thibideau stated last meeting they provided an update of the broadband project with KSM along with an extensive list of what needs to be done. They put out a press release from the commissioners this week showcasing the \$9 million investment that is about to come into the county. This investment will take six to eight years if we don't drum up the work to follow the timetable. This agreement with KSM will do a lot to solidify that. Somebody has to do this work and it makes sense to hire the experts to handle the workload. Altman asked if there is a committee working that goes along with this initiative. Thibideau replied part of their obligation as the Economic Development Commission is to manage the Broadband Taskforce with it meeting over the past two years.

Mental Health, \$30,000

Thibideau stated the project team has been working with Commissioner Heirbrandt and Councilor Nation. He approached them and asked if they would like to continue into 2023 with both reviewing the scope of work and agreeing it should continue. Half of the costs will be paid from the Community Foundation. Altman noted we had a mental health summit a week ago which included all three branches of the state government. Altman spoke with Johnson County with their putting \$8 million of ARPA dollars into a facility. We have the opioid settlement that we could probably flex into this, if we have leftover ARPA funds it would be nice to use the opioid funds and supplement a place for people to go. We have to get serious on finding a place for people to get help without being turned away. The Local Justice Reinvestment Council (JRAC) would like to meet with the taskforce.

Sheriff - \$121,399.26

Dillinger noted the Sheriff contacted him yesterday on a request for funding from ARPA funds. Sheriff Quakenbush stated it has been a goal of his to move the investigations division into the main building to increase communications between investigations and patrol. It has also been a goal of Steve Wood's to shut down the old jail building to eliminate the utility and maintenance of the building. Captain McKinney is retiring at the end of the year, so the timing is right. Quakenbush requested funding of \$121,399.26 to purchase the cubicles and equipment to move into the space. Wood added he has the funds to do the work but not the funds for the cubicles. The building will be demolished and hopes to

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use the land for parking. Wood estimates he will save \$100,000 in utility costs by closing the old jail. Altman asked why not use those monies for this project instead of ARPA funds? Wood replied he could do that, but it would be out of next years funds. Altman hopes in the next three years to get dispatch out of that building, what is the plan for that space? Quakenbush would like to use that area for workout and training space. Dillinger suggested Wood request funding from the council for this year with a payback from the utilities budget next year. Nation confirmed there would be a joint request to reduce the utilities budget by \$100,000 next year and move the money for this project. Beaver this is an estimate on energy savings, not money in the bank. Maki confirmed this is an estimate that we can discuss. Mertens requested they contact ISSD regarding wiring needs on any project.

Joseph & Brooks Arm William Lehr Drain - \$498,000

Mr. Kent Ward replied this is located 156th Street just west of Victory Chapel Road. This project will connect the dots, the drain has been reconstructed by developers up to 156th Street and up to Fiori Landscape. This will connect the dots between the two, they will have to move some mums temporarily. Instead of an open ditch it will be along the property line and right of way. Altman asked if any developers would benefit from this? Ward replied there are no other developers. Noblesville is aware of the project and has asked to be put on the five-year plan. Beaver asked if this can be designed and executed in the timeframe? Ward replied he has bids and there is manpower to complete the project. Mills confirmed there is funding available for this project.

Silos at 37 Drainage (Fairgrounds)

Maki moved to untable. Nation seconded. Motion carried unanimously. Heirbrandt sent out emails earlier today on funding options regarding funding to complete the first phase. He has reached out to Landon Boehm who provided three different bonding scenarios as an option to complete the first phase. If we bonded an additional \$7 million on top of the \$15 million it would take it out to 2029, if we bonded \$9 million it extends it out farther and \$11 million extends it further. Next year as part of the plan that was agreed to by Mike Reuter, Landon Boehm, and our Council Finance Committee one of the things we looked at was keeping the tax rate the same, we will have to fill in about \$50 million in debt next year. To get this done we should consider bonding this rather than using ARPA dollars, when we get done there will not be many ARPA dollars available. Even if we attribute ARPA dollars to it there will be a huge deficit.

Maki asked the Commissioners that when the \$50 million rolls off are the fairgrounds on your priority list next year or will there be other projects that they will deem are more important. Would the council

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be willing to bond? Beaver noted he is on the finance committee and Mike Reuter works for us. We have funded every project the commissioners have put in front of us and did it in such a way there is not a property tax increase from the county, we paid for it all. No disrespect to Commissioner Heirbrandt but to wheel out these bonding projects, no we already have this figured out. You gave us a list; we funded it all; to start adding things to the list to go over the \$15 million. Yes, we have a AAA bond rating, and we can bond anything we want to, but this is not the plan we worked out.

Sullivan noted Councilor Beaver is correct, all the projects are tax rate neutral and a AAA bond rating. The \$50 million is coming to the county due the assessed value growth and it is imperative that we keep trying to capture as much assessed value as possible so we can keep the tax rate neutral plan going forward. A year ago, we had a joint meeting of the commissioners and council presenting their priorities with the financial team figuring out how to fund it, but it did not include this \$50 million. Even with all the projects put together and funding figured out whether it be cash or bonding or whatever mechanism there is now more available because of the county's continued growth. We have a AAA rating and received another AAA rating for the fairgrounds GO Bond. You are almost compelled to have to issue more debt, at least for part of a funding mechanism for a project, otherwise, as you will see, the tax rate will dip and that is not because of poor planning. No one can predict how much the county is going to grow every year. Beaver does not disagree with anything Connor has said, it is true. Why don't we do this, Mark has thrown out an idea and is sure the commissioners have another list with Heirbrandt noting we will have to come up with another list. Beaver replied we will do the process over again, instead of piece mealing it. We have a joint meeting, you set out your projects and how much they are going to cost. We come up with the funding mechanism to keep us flat. Once that is achieved rather than piece mealing it decide what you want to do for the next five years. Heirbrandt and Altman both replied, that makes sense with Altman's personal position remaining the same on the fairgrounds, \$15 million is not going to do it. It needs to be at the point that it comes close to paying a lot of the bills and you don't get there until you have \$26 million for Phase 1. Altman does not want to spend \$15 million on something that it is not going to do what we expect it to do, and she does not want to spend ARPA as she does not think it will qualify as there is not that much drainage work out there. We have to figure out how to build out Phase 1. Heirbrandt, with all respect, hears Altman but thinks there is consensus that everybody wants to see some of this get done and I am just throwing out some options. I am not telling the council how to spend any of this money, there is no plan right now and there needs to be a plan. Beaver disagreed, there is a plan.

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Altman noted a new plan adding another consideration is the opioid settlement and we can make a difference in mental health. We have places that we need to investigate. Beaver did not disagree suggesting scheduling another joint meeting after the first of the year to discuss all the funding options coming our way. We will revisit our tax income situation and it will go with a new plan. Beaver would like a list, not go one at a time.

Dillinger asked how is the \$5 million related in the \$7 million we started with? Maki replied it is not, it would be reducing from it.

Sullivan noted he met with Landon Boehm, Tim Schwalm, and Scott Senefeld on the fairgrounds project reviewing the control projects limit for this project. At the time we considered drainage separate, we were under the assumption that there would be money given to the fairgrounds project for drainage. Altman remembers \$600,000 is for the design, with Mills noting there is nothing for the project, everything that was previously allocated to do the physical work went away, it was transferred into the total project costs.

Beaver believes we committed \$15 million, and we need to spend it, it was figured into the tax rate. It is not committed out of ARPA funds, it is committed out of the bonds. There is an estimate of \$5.7 million for the drainage. Peterson noted it was for the total fairgrounds. Sullivan noted they need to consider funding the physical putting the pipes in the ground.

Maki is concerned we start with the \$15 million and they begin the project then next year we discuss the \$50 million and the fairgrounds project gets lost to other projects. Where does that put the fairgrounds at. Beaver understands but in his mind the \$15 million is committed and if they are going to spend the \$5 million on drainage that is fine with him. Once drainage is in the ground it does not go away and if the project goes out longer the drainage is done. Nation stated as a follow up to Maki's comments, is it a priority of the commissioners in this new list you will be giving us that the fairgrounds will be a priority. Altman confirmed it would be a priority, is has to be done. Maki asked if we need another \$11 million or more for the drainage. Mills asked if you have \$15 million and the full project is \$26 million but she is hearing they still need the \$5.7 million for the drainage. Heirbrandt replied, no. Altman is looking at \$26 million with signage another \$2 million. It was confirmed the \$26 million includes the drainage for the whole property. Maki is ok with that as long as we can get the new list and funding in place next year.

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Dillinger clarified we agree we prioritize and go back to the council in January to try to get the \$26 million. Beaver noted the commissioners need to come up with a new list and then the finance committee will take the list and come up with the funding.

Altman moved to approve everything on the list but the Sheriff's request, which can be taken out of the energy savings. Heirbrandt seconded. Altman, Dillinger, Heirbrandt, Maki and Nation approved. Beaver opposed. Motion carried.

Approved:

- Westfield University - \$2,000,000
- Broadband - \$100,000
- Mental Health - \$30,000
- William Lehr Drain - \$498,000

BAKERS CORNER

Altman is leaning towards putting the booster in the BAN, primarily because she sees it coming back out eventually. Part of her list for the \$50 million is figuring out mental health facilities. Beaver is in favor of the pump but in all the conversations the council has had it is the ARPA money, state money and the BAN and we can not go over the \$10 million BAN and don't count contingency money twice. Altman asked if that is council's consensus? Beaver replied that is what we agreed to. Altman does not know if he understands how we get money back, the only way we get money back on connection fees is what we bond. We are going to be writing the developers a free check on the connection with Beaver disagreeing. Beaver cautioned not to go over \$10 million with Altman noting if that is the desire of the council. Altman moved to cover the cost of the generators (\$100,000) out of ARPA money. Heirbrandt seconded. Dillinger asked if Altman's previous motion included the \$1.4 million for Bakers Corner? Altman replied no, it was not included in her motion. Dillinger assumed it was. Motion carried unanimously.

Heirbrandt moved to add the \$1.4 million to the BAN. Beaver noted if this is being added to the BAN this is not a motion for this committee. This committee can only approve spending ARPA monies.

Altman asked Sullivan where are we with the BAN? Sullivan replied it is at \$10 million. Altman asked if we could put the boosters in the BAN for \$1.4 million? Sullivan replied the BAN is already at \$10 million. The BAN covers the scope as presented last month. We are adding the \$1.4 million that is not

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covered by one of the three funding sources. That is why we wanted to discuss with you today if you wanted to add it to the BAN or put it under one of the other funding sources. Maki asked what the benefit is of having a higher BAN, is it because we can recoup that from connection fees. Maki asked if it would be nice to have the ARPA money spent and be done? Altman replied no with Heirbrandt stating he understands that but there are drainage projects that are designed and have been committed to that have yet to be paid from ARPA funds. Altman thinks it would make sense to add to the BAN for reimbursement from the developers with Heirbrandt agreeing.

Beaver moved to pay for the pump out of ARPA money. No second. Motion dies due to lack of a second.

Mills think we will still have about \$4 million to spend. Mills asked if Steve Wood is requesting the \$121,399.26 for the Sheriff's retrofit from something else? Consensus was yes. Mills confirmed the \$200,000, \$100,000, \$30,000, \$498,000, and \$100,000 is being paid from ARPA funds. Consensus was that was correct.

Beaver confirmed there has been no authority given to pay for the pump with Altman stating we may be going to council with a higher BAN and explain why we want to increase the BAN. Beaver replied there is nothing to explain, we have not had the BAN meeting yet.

Next Meeting: November 18, 2022 at 1:30 p.m.

ARPA Committee adjourned. Board of Commissioners continued their meeting.

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ISSD

Zayo Contract

Mertens requested approval of the contract with Zayo for internet service. Heirbrandt so moved. Altman seconded. Motion carried unanimously.

ATTORNEY

TAFT Invoices

Sullivan asked for approval of the Taft invoices. Commissioners asked for those to be brought to the November 14, 2022 meeting for approval.

Commissioners meeting adjourned at 2:30 p.m.

Present

Steven C. Dillinger, Commissioner
Mark Heirbrandt, Commissioner
Brad Beaver, Councilor
Sue Maki, Councilor
Steve Nation, Councilor
Robin M. Mills, Auditor
Connor Sullivan, Assistant County Attorney
Dan Stevens, Director of Administration
Todd Clevenger, Auditor's Grant Administrator
Lauren Powell, Accounts Payable Clerk
Steve Wood, Buildings & Grounds Superintendent
Brenda Myers, Hamilton County Tourism
Marty Wessler, Wessler Engineering
Greg Lannan, Kapp, Sapper & Miller
Tim Schwalm, Mussett Nicholas & Associates

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APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

Christine Altman
Steven C. Dillinger
Mark Heirbrandt

ATTEST

Robin M. Mills, Auditor

Date Approved: 11/14/2022