

## Benton County Commissioner Meeting February 20th, 2024

The Benton County Commissioners met at 8:15 a.m. in the Commissioners room at the Benton County Courthouse. Those in attendance were Commissioners Bryan Berry, Mike Freeland, John Fields, County Auditor, Audrey Freeland and County Attorney, Jacob Ahler

Others in attendance were: Bill Burton, Mike Sondgeroth, Mike Budreau, Carole Hoff, Rick Meilan, Jonathan Devers, Jennifer Gick, Latisha Provo, John Cox, Andrea Bowman and Tonya Robinson

### **Mike Budreau – Highway Supervisor**

- Pipes – replacing pipes and need to restock some at the department. He needs some 12's and one big pipe, he presented quotes for the 84-inch pipe. It will replace the damaged one at 500 E / 100 N. They will remove the cement header and use rip rap once it is set.

\*DEBCO Metals - \$7,000.00

\*E3 Bridge - \$6,900.00

After some discussion on the size and shipping prices it was agreed to go with the higher quote since it included all costs. This was approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried.

- CDL reimbursement agreements – Have an employee who has voluntarily left employment with the county. Mike asked how that would be handled. The total cost was \$2250. Commissioner Freeland said to take the total 2250 divided by 36 months and then multiply by 31 months since he has had it for 5 months. The total repayment amount will be \$1937.50. Auditor Freeland advised that his final check will be a paper check and will be released this Friday. Attorney Ahler advised the board to work out a payment arrangement and if the employee does not make payments to let him know and he will then submit to small claims. Commissioner Berry asked Attorney Ahler to send a letter to the employee on his letterhead, yes, he can do that.
- Permit to cross the road – Mike has someone who wants to tile across the road but needs something with the language regarding concrete needed on black top roads and all types of surfaces. Attorney Ahler has that document and will make sure it is sent to Mike.
- Kubota – Commissioner Fields asked if he has received anything regarding what the county owes, no not yet.
- Roads – Commissioner Berry asked if Mike was happy with the roads in the repower project with BP and asked if he was ok to release the bond, yes, he was. Commissioner, Mike Freeland motioned to release the bond, seconded by Commissioner, John Fields and motion carried.

### **Jonathan Devers – EMA / DHS Assistant Director**

- Light duty – Asked for an update on this. Commissioner Berry said that the ordinance will be approved today. Jonathan explained that they have a one that will be assisting with teaching a class and will be within the 8-10 hours weekly. Commissioner Fields asked if that was the EMR class. There are two classes running currently; this employee is doing the EMT class and Gregory and Jason are running the EMR class. Jonathan then spoke about the individuals who are taking each class and that it is running well. Commissioner Berry said that the board, HR and the department heads will work together on a case-by-case basis
- Night launch – Jonathan said that it went well, and he was able to fly under/over and clear two stairways in 2.5 minutes, with 2 bathrooms it was done in 3 minutes. He said that they were on site for about an hour and hopes to do some training soon with officers. The only thing they ran into was the geo-fencing (near the jail). Jonathan is going to look into applying for a waiver and he is going to speak with SRO Schutter about possibly flying the school. They will also train with the officers on landing and changing the batteries to maximize fly time, which is about 18-22 minutes. They have extra batteries for each drone.

Benton County Commissioner Meeting  
February 20th, 2024

**Bill Burton – Fowler Fire Department**

He came before the board today to request some assistance with their pumper truck that is 25 years old. The township trustee and the board has been contacted. Four years ago, one was purchased for \$482,000.00 and the same truck, same specs is now running almost \$800,000. He has done a lot of research, and they could buy a stripped-down pumper for around \$700,000.00. He said if they just bought a 3000-gallon tanker truck, it has the pump and everything except the compartments and they run around \$550,000.00. Bill said that the township informed him that the state has put limits on them, and they can only borrow 6 years. The committee decided that a tanker could be purchased instead of the pumper to save expenses, but they need assistance with funding. Commissioner Freeland asked if the tanker would still have baffles, yes it will. Commissioner Berry asked how much help they were looking to get to which Bill replied all they can get. Bill has reached out to the state, and they reiterated that 6 years is the max.

Commissioner Freeland then asked if the town and township are going to assist also and if they have applied for grant funding. Bill responded that he is hoping that Angie with the township can put in \$100,000.00 and he has not gone to the town yet. He said if he can get the balance down to around 300,000 that the township should be able to borrow that. There are some grants, but it is usually limited to equipment and air tanks. Commissioner Freeland asked how long the build on the truck would be. Bill is hoping that the IFD has a demo he could possibly purchase. Commissioner Berry asked if the one they have is worth \$100,000.00, no it is not. Bill said that the life span is 20 years and then the insurance rating changes and with the 6-year borrowing limit really hurts. He added that the township does not want to increase taxes and the board said they understand that. Commissioner Berry talked about the tanker Boswell got and worked with them on purchasing. Berry said he did not feel they could make a decision today because they currently have 3 projects going on and they need to see how much funding they have available. Berry then asked if he could come back at another time to discuss things in more detail, yes, he can. Bill will be attending a show in April, the board said they can meet again before then and have a better idea. Bill asked if they were willing to help, yes, they are but they need to review funding. Commissioner Berry said that they will help out some, but he is not sure if they will be able to do 100,000.00 but they will help out some.

**John Cox – Sheriff & Fair board President**

- Deputy – he is all full staff. Jacob Largent has started and does not have to go to the academy as he is already academy certified
- CO – a new hire will start on March 4<sup>th</sup>
- Bathrooms in jail – they have started on pod 2 so they have shifted some of the inmates so they can work quickly
- K9 – 3<sup>rd</sup> dog (Snap) has passed academy and will be in service soon. He is a drug and tracking dog.
- ICJI – Deputy Clements will be receiving the DRE (Drug Recognition Expert) Officer of the year award for small counties. He is trained to analyze people under the influence of opioids, other narcotics as well as alcohol
- Jail Cum – working with Auditor Freeland to get dates for advertising and all of that lined up. Also talked about the public safety tax, which the Council would have to approve
- Energy saving – looking for someone to walk through the jail with him to see what they can/should do, so far NIPSCO has not been very helpful. He thought about seeing that is something Lyle could do. Commissioner Berry said that there are firms who will come do assessments, yes he called one and they charge \$10,000 to come do that. Commissioner Freeland asked him to see if that is something RQAW could assist with.

## Benton County Commissioner Meeting February 20th, 2024

- 21 Durango – The head gasket is shot; the unit has been towed to Emerson’s. They are going to run diagnostics on it. He will keep them apprised of the situation. Commissioner Fields asked if it is still under warranty, they are looking into it.
- Fairgrounds – he presented amended quotes for the new building
  - Lyle Garrelts - \$34,177.01
  - Deno - \$165,020.27
  - Davis - \$93,659.00 – all block, footers and cement (this includes the vestibule and car port)
  - Molters drywall - \$34,000.00
  - Shawn Leuck – working on breaking it down with changes
  - Brouillette’s – he will resend it to the board

The board talked about moving forward and that the total budget is \$400,000-425,000.00. John would like approval to move forward and lock in these prices. John talked about some local individuals who have inquired about donations, and he will be discussing that at the next fair board meeting. He also plans to reach out to the Foundation and see if there is any grant funding available as well.

Commissioner Freeland said that he spoke with Vic about the building and Freeland does not want a roof unit, the board agreed. Auditor Freeland shared that with the totals presented today the total is at \$326,856.28. Commissioner Fields said that is without Shawn’s or the heating and cooling.

The group then stated that the public will need to donate as well or there are things that will have to be cut out. The discussion moved to removing the area in the back and front, and then add that later. John said that those could be done overtime, you could lose the canopy, concrete pad and then back patio.

Commissioner Berry asked what was budgeted in ARPA funds, around 237,000.00 currently. John received an update from Shawn and his rough estimate is 75-100,000. Commissioner Freeland said if they estimate high that will still put them up to 429,000.00. John is going to have Deno remove the patio, canopy and back patio and will also have Davis remove that from his estimate as well so they can just concentrate on the building. Commissioner Berry asked about the inside and if the dressing rooms were still included, no they were removed. They are still waiting for Matt’s estimate for the septic too.

John went on to discuss the horse arena repairs they plan on doing this spring. This will allow more room for them to practice. The Horse and Pony club are going to help them fundraise for this. He asked if he could talk with Mike at the highway about getting some dirt, gravel and sand. He will also work with Matt on drainage, they will place a tile to assist this. The board is ok with this.

John wrapped up by saying that the tractor pull people are very happy with the updates and changes that have been made. The fair board had a wire buried and it gives them 15 feet back for the tractor pull. Commissioner Fields asked if they planned on holding go kart races this year in the off season. Yes, they plan on having 2.

### **Rick Meilan – Taxpayer**

Rick stated that he wanted to come to ask the board to sign a resolution against the LEAP pipeline but was very happy to hear that was already approved. He lives one mile away from where they have proposed to set up a pumping station. He shared some documents and discussed his concerns. Commissioner Fields asked how much water they actually pumped. Rick replied that it was 2 million gallons a day for 72 hours. They then discussed how much the well went down, and Rick learned that they had draw down at 1.5 feet in the aquifer and then are wanting to 100 million daily. They are out flying right now to see where they can/want to place the straw. They discussed concerns and plans that they are trying to implement. Rick thanked the board for their time and efforts to stop this.

## Benton County Commissioner Meeting February 20th, 2024

### **Andrea Bowman – Benton Community Foundation**

She is here to provide a quality-of-life grant update. The link is live now and meetings are being held over the next few weeks. She asked the board to participate and share the survey and encourage community members to take the survey. They have also sent out postcards to everyone in the county. They are needing participation in the meetings. She is working with Economic Developer, Latisha Provo and depending on the survey results they will then write a proposal to align with those results.

Public safety and Fire departments need equipment, grain space, trail paths, childcare, housing, new buildings within the county are just some of the things she has heard people discussing and what some value for the community. She is trying to hit all of the communities through hosting at various locations to reach as many people as possible.

They will be asking attendees what their dream for the county is and why it would be of value for Benton County. She discussed the positives she has heard. She talked about the arts and culture (theatre), and what they can do to make current businesses stronger. Within the proposal they listed “desired” housing instead of just affordable.

On August 7, 8 and 9<sup>th</sup> on behalf of Lilly they will be offering a course on Indiana Community Development course through Ball State for anyone who is passionate about their community. The cost is \$15,000 but will be offered for free and will be held at the BCG Annex building. Other communities have held some of these types of workshops and have had a good turnout. It is a 2 ½ day workshop. Latisha added that the call out for community leaders, they had 10-12 showed and provided some input and it was very eye opening.

The discussion wrapped up talking about all of the positives that are already here and may just need some assistance to improve those services.

**The board temporarily closed to hold the Drainage Board meeting at 9:32 am, then reopened at 9:37 am**

### **Business:**

Minutes were presented and approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried

Pay at once claims were reviewed and approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried.

The LEAP resolution was approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried.

Payroll was discussed and then approved with a motion by Commissioner, John Fields, seconded by Commissioner, Mike Freeland and motion carried.

The Purdue Extension contractual agreement was tabled again. Attorney Ahler will send a follow-up letter.

The light duty policy was discussed and approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried. Attorney Ahler advised that it should be added to the personnel policy. This amendment will be shared with all employees.

## Benton County Commissioner Meeting February 20th, 2024

The amended purchasing ordinance was discussed, and amendments approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried.

The termination of guaranty (AEP for Fowler Ridge II). Commissioner Berry asked if anything had been received, Auditor Freeland stated no she has not. The document was approved with the understanding it will be held until a bond from IRG is received with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried.

### **Tonya Robinson – County Home Supervisor**

She came before the board to discuss a grant opportunity for the county home from the state. The amount the BCRV will receive is \$30,750.00, and there are some restrictions on what the funds can be spent on. It is a reimbursement grant. She discussed her wish list and the main thing she would like is a minibus to transport the residents. Some of them struggle getting in and out of the van they currently have. If a bus is not found or over the amount of funds available, she would like to get a couple of washer/dryer sets (would like 3 total sets) for the home. She presented a quote for a set with delivery and the amount is \$2500.00 and they are high capacity.

The board said that they can look around, but they are not sure if they will be able to find one. Commissioner Berry asked if they are using the van often. Tonya said they use it here and there. Within the grant Tonya stated that anything over \$2500 has to be approved by the FSSA before she can purchase it. The group said if there is not a bus found and she gets the washer/dryer set what else would she like to use the funding for, dishes and trays. The grant funds must be sent by June 30<sup>th</sup>, 2024. She has to submit her list of items she is looking to purchase by March 8<sup>th</sup>, and she has that prepared and ready to send. There are currently 14 residents at the home. The group discussed the need for a non-reverting fund ordinance. Auditor Freeland will get the fund number and fund name to Attorney Ahler so the ordinance can be created.

Commissioner Freeland asked if the dishwasher is working. Tonya replied no it is not, but it is no longer leaking. Commissioner Freeland said that they will ask Brian to come out and take a look at it.

### **Latisha Provo – Economic Development**

Latisha provided an update from Julie who said that the claim is going through the last stage of the next stages. Once it passes through the first two stages it will go through without issues.

Commissioner Berry said on the railroad, he is not sure what to tell her, he has made some phone calls, but he is not getting anywhere, but thinks it is a pipe dream. Latisha agrees, and said that she is going to reach out and make herself available

### **Business continued:**

Auditor Freeland presented a quote on behalf of the Treasurer regarding postage for the 2024 tax bills. Auditor Freeland stated that it is a little lower than last year. After some discussion it was approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried. The claim was approved to be paid out as a pay at once claim. Commissioner Freeland asked why it was lower. Treasurer Hoff replied that if they overpay on the prior year then the remaining balance will offset the second portion of their bill, she is not sure what that total cost is at this point or what her portion will be.

## Benton County Commissioner Meeting February 20th, 2024

Jennifer Gick asked if they have started doing bulk mailing. Carole stated that they are using an outside company now, and they try to do their best on that. Carole said that she traveled to New Albany due to some of the tax bills being destroyed in the mail, she talked about the possibility of that occurring again. Jennifer then talked about how it was handled when she worked in the Treasurer's office.

The road use agreement was reviewed but they will not be approving or signing it today.

The annual elevator preventive care maintenance agreement with KONE was reviewed and approved for the following, Inspection - \$699 / Clean down (host) - \$1,500 / Regular maintenance/landing - \$1,000. This was approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried.

Appointed employee contracts were signed by the board.

Auditor Freeland asked the board if one of them could speak with Darren before leaving today regarding the ceiling in the judge's chambers. Commissioner Berry said that he has reached out to Dave to come and fix that, but no date has been set.

Carole asked the board about a situation she has been talking about with Attorney Ahler on a matter but there is a conflict. The state has asked her for an opinion on it and wanted her to ask if there is a policy for the county for requesting legal services when the county attorney has a conflict. Attorney Ahler advised the board that one thing they could do is appoint special counsel for that one issue. The issue is that the taxpayer is a client of his so he cannot represent the county on it. Carole asked Attorney Ahler could answer a general question on the matter. He replied that yes, he can answer general questions, but he cannot go after them. Carole said that she just has a specific question on garnishments. It was determined that she will not need special legal service at this time.

Commissioner Berry asked Attorney Ahler if he would send the email and CC him on that regarding the bond is agreed upon and put into place. There is not a statutory/legal amount that has to be listed but they need to have the specific information and requirements in the document. Commissioner Berry said that is about \$200 per load of gravel each load so by his calculations they are paying about \$800.00 so it is an increase of \$600. They talked about how they haul it off, remove the gas and return it so the weight stays the same. Attorney Ahler said that he will include any hazmat fees will be at their cost. Commissioner Berry asked if they should leave the verbiage about them working with Highway Superintendent, yes, they should leave that but add bond information in the amount of \$250,000.00 which can/will be used for any/all repairs, spills, etc.

Latisha asked Attorney Ahler if he was well versed on TIF districts, yes, he is and has a gentleman he works with him a lot on them. She wants to open the discussion on TIF districts and asked the board to keep them in mind. She would also like to maybe have an education session on them and how they can be beneficial. Attorney Ahler is going to share a contact he has with her, and he will do all of the redevelopment as well. Commissioner Freeland stated that Karen Hurtubise spoke recently about how Tom Murtaugh spoke on how smaller populated counties like Benton County would not benefit from one without more industries. Attorney Ahler added that there are some situations where it can create more problems than what it fixes without the right industry for it. Auditor Freeland spoke about the one TIF district that the county has in Benton County and how it is not beneficial.

Latisha said that some are looking around at other towns and communities and wondering why and how they are having some much growth. She thinks the other thing is that the state is asking them to look around and see if there is any potential, there are just a lot of questions so she would like to get more

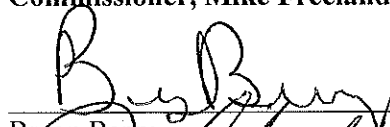
Benton County Commissioner Meeting  
February 20th, 2024

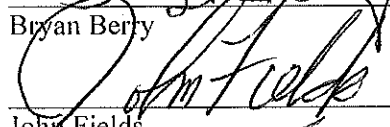
familiar with and educated in. Carole said that she recently attended the legislature conference and stated that it might be something she attends in the future because they were discussed during it. Latisha would also like to learn about residential TIFs and if the developer could start on. No, a TIF can only be done by the legislative body of an entity.

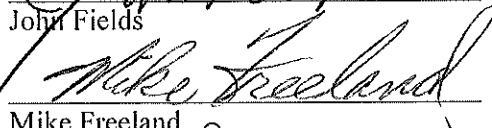
Commissioner Fields asked Commissioner Berry if he ever got an update on the Town of Otterbein on the Mainstream fiber project. Berry replied that they have 17 residents and the Methodist Church hooked up. He is trying to get them to use Ameri-crew more to get some more stuff completed and they were supposed to be there last week, but he is not sure if they were.

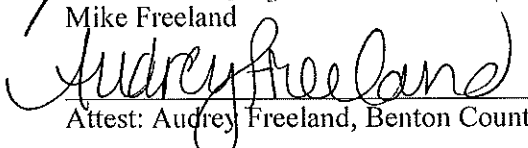
Commissioner Freeland asked about the towers. The Fowler and Ambia towers are completed. Commissioner Berry said that Boswell said no, and he is trying to get ahold of someone who is currently out of the state to request using their grain elevator. Americrew got the tower ordered for Freeland Park. Berry said that he spoke RA-Comm is supposed to get back to him for the one in Wadena. The group hopes that they can get more people on board.

**With no further business the meeting was adjourned at 10:35 a.m. With a motion by Commissioner, Mike Freeland, second by Commissioner, John Fields, motion carried**

  
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Bryan Berry

  
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John Fields

  
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Mike Freeland

  
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Attest: Audrey Freeland, Benton County Auditor