

Benton County Commissioner Meeting February 6th, 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: Mike Budreau, Gail Lange, Jason Fisher, John Cox, Colin Sullivan, Latisha Provo, Karen Hurtubise, Jennifer Gick, Brad Lane, Jud Barce, Greg Vogel and Brooke Sauter Johnson

Mike Budreau – Highway Supervisor

- Roads – guys have been out working on roads. A lot of gravel roads are getting torn up. He is looking to possibly get some hot mix, but it doesn't work that great but need to do something.
- Brush – started trimming again
- Recycle – they are going to move the trailer down at recycling while they work on the new office space. Matt is going to be working on the septic tank
- Tile – it is done, and water is flowing
- Kubota – they picked it up on Friday. They are not sure what the extra hour charge will be yet. The new one has already arrived, and West Side Tractor got all of the attachments done
- Bio-Town – Commissioner Berry has Attorney Ahler reach out to their CFO and he told them that if he was not who they needed to speak with to please forward to the correct person. He advised them that they need to put together a transportation agreement. Berry said that Mike and the highway is putting 300 more tons since they began hauling. He has also talked with the dairies about some compensation for it as well. They will first try Bio-Town and if necessary, they will have to make an agreement between the county, the dairies and Bio-Town. Berry asked Mike if he had any idea of what the labor costs were, no but they can work on that. The board was in full agreement that those costs would be considered as the county's when they discuss cost sharing between the three parties. Currently the county is under the frost law and with a transportation agreement that is what allows them to run during this time. Berry stated that they were not aware that it would be this many loads and that it would be 20 loads, but it is around 48 loads. Mike said something about trying the 53-2 stuff, but he does not want to cause more problems and costs. It would take less stone because you would get less lime in the super mix than you do in the 53's that are just getting crushed and turning the road into soup. Berry talked about 500 N – when it was dirt and then went to gravel for EPR's project Berry believes they went to 2's when they ran out of super mix, and they were large. It was discussed trying it at the entrance to see how it does. The group wants to fix the problem and they know a transportation agreement is only going to assist with funding the additional stone. Mike states that them staying on the approved route would also help
- Dumpsters – Commissioners Fields stated that he has not been able to get anywhere with waste management, but he did reach out to Burton and Republics, and they are both around \$600. Fields said that they will probably wait a week or so and see if they are needed. Mike said that when he talked with Republics, they said they did not want to bring dumpsters back in because it costs them too much money. Indiana Waste were \$600 for each dumpster (30 yards) and dump when it is full. Burton was a little more, but they are smaller, and he dumps them twice a month.

Jason Fisher – EMA / DHS Director

- Updates – provided updates on his department(s)
- Sirens – provided update on the sirens. Earl Park siren will be wired up and in service as of February 12th. They recently did a siren test and the one in Otterbein had a small problem but will be getting a new battery back up for that one

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- Mitigation – still waiting on DHS to let them know what amount of funds we will receive and have available for projects that is within the federal guidelines. He is still hopeful to get as close to the \$300,000 as possible to redo all of the storm sirens
- Grant updates –
 - SHSP IT grant – fiber relocation and Spillman lines
 - EMP grant – finishing up to get the 32,000-reimbursement portion for 2023. However there does not appear to be any competitive funds available to be put towards fiber.
- UAV program – Jonathan provided this for the EMA advisory committee and were able to test and fly by sight of camera to many key areas.
- Light duty – he is looking to have a policy in place for about 8 to 10 hours per week if there is work available. They would have to have a release with restrictions but would utilize this particular individual with teaching a current class. Commissioner Berry said that the light duty would be discussed more during the business portion of the meeting.
- IT services – Commissioner Berry said that Tom was going to reach out to Mainstream because he does not believe they have everything hooked up yet. They will separate EMS from the courthouse with the capabilities for each to be switched to the other if needed. Berry then talked about the static IP's (approximately 29) and how there would need to have some left available so in the event the courthouse went down.

Jud Barce & Brad Lane – on behalf of Weaver Real Estate, LLC

They were here today to discuss the Town of Freeland Park and a portion of what the county owns by dedication. They would like to ask the board for approval to vacate a right of way and it will be a two-phase process. Jud provided handouts for review. The plan commission has approved moving the lot lines on exhibit A and B. Today they are discussing the pink portion (roads and alleys) on Exhibit B and requesting the board to vacate. There are three parties who own it currently, Wanda Robinson has a vacant lot which Mike Pickett has maintained so they will be cleaning up that title and purchasing it as well. Then Kevin Puetz owns a portion as well.

Weaver again is requesting the pink portion to be vacated, and if approved it would not deny anyone access to their property. They are all alleys or right of ways that were never extended. Commissioner Berry asked if they could form 85-90 if they can vacate those, yes but half will go to those landowners. Commissioner, John Fields motioned to approve to vacate the requested items, seconded by Commissioner, Bryan Berry and motion carried.

Jud will get all documents recorded and will include the additional map as requested by the board.

Jennifer Gick – Taxpayer

Commissioner Berry said that Jennifer had approached him and asked if the county had been approached or if they had signed anything to which he told her no. Jennifer went on to discuss the Taze river and the need to preserve it against LEAP by signing a resolution. Jennifer then discussed the water supply need for a potential chip factory in Lebanon. They are wanting 100 million gallons of water per day to be pulled and piped to them. Tippecanoe County daily usage is 7 million gallons of water today and then peak season 9 million gallons per day. The Taze river runs through Benton County and pulling that much water from there will affect the plume.

The IEDC purchased these acres without transparency and with taxpayer dollars. Jennifer then presented the board with maps and discussed them and the wellheads they are proposing. Commissioner Berry

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asked if she knew if the pipeline was going to be federal, state or county regulated. Jennifer is not sure. She talked about the testing they have done and the people that were affected just by that. The counties that have already passed a resolution against this are Miami, White, Tippecanoe and Fountain. The cities who have passed one is Monticello, Battleground, West Lafayette, Lafayette, Shadeland, Attica, Covington, Terre Haute and Otterbein. Commissioner Berry asked if Warren County had, they were approached yesterday. Jennifer said she would like to thank Carly Sheetz and Amy Miskle for their help and copies of resolutions. Commissioner Berry said that he reached out to Commissioner, Dave Byers and they discussed the situation. They briefly discussed the IFA and that they report to the State Treasurer.

Karen Hurtubise joined the conversation and stated that she has attended some of these meetings as well. She explained her concerns and was very happy to see that the Town of Otterbein signed a resolution.

After further discussion Attorney Ahler reviewed the resolution presented and will redraft it with the requests by the board and himself to be signed at the next meeting. They will add verbiage to discuss transparency and revoke the verbiage about secrecy. This was passed with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried.

Karen Hurtubise – Town of Otterbein

Karen came today to discuss the meeting recently had with Windtect with Tippmount and how they are wanting their trunk line in by June. Commissioner Berry stated that Mainstream has provided some to the north side of the town and currently has 18 accounts; there is one church and 17 residents. Karen said that there has been an extension has passed on the ARPA funds so she wasn't sure if they would be able to complete it. Commissioner Berry said that the backbone is complete. Commissioner Berry said that he will reach out to Mainstream and see when they will be back in that area and provide that information to Karen.

Commissioner Berry asked Karen if she was able to find out if there were any leases for the Town of Otterbein water tower and if there are any non-compete clauses.

Latisha Provo – Economic Development

- Grant updates –
 - READI 2.0 – application must be submitted by 02.16.2024. There is a 75 million max per region to be applied for and will be broken down as follows; 25 million to Purdue, 35 million to be split among counties and 15 million to be listed as miscellaneous for projects. Still, lots of discussion going on
 - READI 1.0 – she has everything submitted and is just waiting to hear back from them. They have not yet responded if the minutes will be sufficient for the 47,000.00. She is meeting with some people for things like Purdue Center for Regional development, it is the Lilly Endowment. The board says that there was a study done regarding childcare within the county.
 - Planning grant - The BC Foundation received \$50,000 through the 8-phase endowment. A portion of that is for childcare as well.
 - 128A funding – IFA funding for the asbestos clean up and it is currently with the project managers with the EPA and will know more in March

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Latisha then discussed Drew Walton contacted her and he is working on a documentary on wind and solar energy projects across the state of Indiana. He would like to know if there were any stakeholders that would like to be interviewed to speak about their positive experiences.

She wrapped up by asking about assisting with a floral cooler for a local business. Commissioner Freeland asked what the total cost was \$7,000. The board stated that since she has purchasing approval of up to \$1,000 to be paid out of edit funds that they would be ok with that.

Brooke joined the group and Commissioner Berry presented a postcard to be reviewed and approved by the board to keep the community informed on the carbon sequestration. Brooke's fee is \$40 per hour and John Klemme has offered his discount for printing purposes through Scherer printing. There will be approximately 3,300 postcards sent each time and will cost about \$0.55 each and will be received within 3-5 business days, or they could do standard mailing which would cost approximately \$0.35 per postcard and take approximately 7-10 business days to receive. There was discussions on how they would like to get questions answered and it was discussed about looking into creating a generic email.

Brooke talked about what she learned from talking with Jon Charlesworth and that he has some documents on the extension's website.

The group discussed the postcards and a billboard option. They determined that a billboard will be done with a simple statement and will do the postcard mailing (one each quarter) to be sent 3-4 business days. The postcard and billboard cost will be paid out of the Community Investment Fund, and the billboard will be reviewed each time it comes up for renewal. This was approved with a motion by Commissioner, John Fields, seconded by Commissioner, Mike Freeland and motion carried.

The board temporarily closed to hold the Drainage Board meeting at 9:29 am, then reopened at 9:50 am

Business:

Attorney Ahler said that the Cintas rep needs a list of the accounts that the county wants to cancel. Auditor Freeland said that she will have one of the girls pull them and send it back to Nick at Cintas.

Attorney Ahler stated that he will be filing the foreclosure, and he found a mechanical lien on the property as well. He then explained the process and the next steps. Commissioner Berry asked when they would be able to take possession. It would go to a hearing and then typically the judge will order it to be sold. Ahler will request that the county takes title. Commissioner Berry asked what happens if it does not sell. They discussed the process of this type of situation. Gail Lange asked who is the running the questions for the community, Katherine Baker. Latisha asked the board to keep in mind that with some of the grants coming that could be a shovel ready site.

Commissioner Berry said that he would like to rescind the light duty protocols and revise it so that it has to be handled on a case-by-case basis. They had further discussion about putting in some language for caps and how it is to be handled. Auditor Freeland was asked to send both the one from the Sheriff and Jason for Attorney Ahler to revise and bring to the next meeting.

Commissioner Berry asked Attorney Ahler if the personnel policy should be revised. He advised that if they are going to add a light duty policy it should be amended so that it is in there. Commissioner Berry then asked about the drug testing policy and if the ordinance is sufficient, yes the ordinance is sufficient.

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Commissioner Berry then spoke about comp time and job descriptions. He proposed that they do away with comp time and if there is work that needs to be done outside of the set hours that it is to be completed by the department head. They discussed how the additional hours are to be handled or if there has been a decision, not there is not a decision at this time. They discussed timeclock plus and if their set hours are met then how is that to be handled. Some discussion was that if an employee shows up early, they are not allowed to clock in until their scheduled time. Auditor Freeland stated that has been limited to a few departments, one example is the clerk's office during elections. After further discussion a comp time policy will be drafted. The discussion continued and the board would like Attorney Ahler to make sure that lunch breaks are to be taken and other policy concerns that will be addressed within.

Commissioner Berry spoke about the MOU from IRG. This is to reverse the decommissioning bond and from AEP to IRG. IRG bought out AEP's interest in Fowler Ridge II, it will allow them to take on the decommissioning bond and releases AEP. Attorney Ahler has reviewed it. Commissioner Berry added that the MOU states that the taxes will be paid regardless of what happens. This was approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried.

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

Monthly claims were reviewed and approved all except the claim payable to HC Garage until further information is provided by Sheriff. The claims were 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.

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.

The amended purchasing ordinance was discussed and tabled until additional amendments can be made.

The county home report was approved as presented with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried.

Auditor Freeland asked the board to reconsider the quote from Data Pit Stop. She has the money in her budget to cover the expenses. The board approved the request to be re-evaluated next year with a motion by Commissioner, John Fields, seconded by Commissioner, Bryan Berry and motion carried. Let the record show that Commissioner, Mike Freeland abstained from voting.

The quote for Stanley Steemer to clean the courthouse air ducts in the amount of \$13,178.00. Commissioner Freeland said that they are going to deliver the lift the night before in order to clean the ones in the courtroom and agreed he will advise each department when they will be in their area. The quote was approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried. The expenses will be paid out of the courthouse repairs listed in the capital improvement repairs.

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Commissioner Berry said that after talking with Town of Oxford councilman, Rusty Hoaks that he would like to stop any further payments to the Town of Oxford other than normal disbursements until their situation is resolved, specifically for the water project. Commissioner Fields stated that he attended their recent meeting and provided a brief recap. The motion was approved to stop any further payments beyond normal distributions to the Town of Oxford was approved with a motion by Commissioner, Bryan Berry, seconded by Commissioner, Mike Freeland and motion carried.

Latisha asked if there was anything further discussed regarding ACH payments rather than a paper check for the READI grant, no there has not.

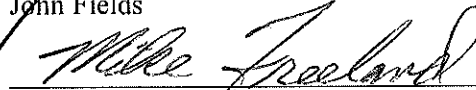
With no further business the meeting was adjourned at 11:15 a.m. With a motion by Commissioner, Bryan Berry, second by Commissioner, Mike Freeland, motion carried



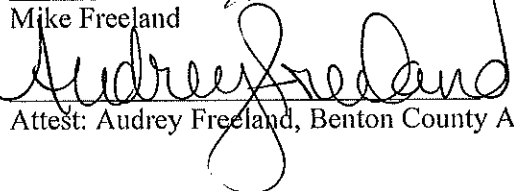
Bryan Berry



John Fields



Mike Freeland



Attest: Audrey Freeland, Benton County Auditor