

Benton County Commissioners Meeting August 15th, 2023

The Benton County Commissioners met at 8:15 a.m. at the Benton County Courthouse in Fowler, IN 47944. Those in attendance were Commissioners Bryan Berry, Mike Freeland, John Fields, County Attorney, Jacob Ahler and County Auditor, Audrey Freeland.

Others in attendance were: Mike Budreau, Walt Wilson, Gail Lange, Angie Taylor, Bill Brost, Carole Hoff, Dianne Hubbard, John Cox, Jason Fisher, Kelly Balensiefer, Chrissie McCutcheon, Derrek Fuehrer, Sam Smith, Leslie Fisher, Sam Rosenberg, Todd Sowers and Dave Fisher

Mike Budreau – Highway Supervisor

- They are still patching then will move on to bridges. Mike is waiting for the full bridge report. they will also trim up guard rails
- Equipment – there are some old pieces that Mike is not sure what the board would like him to do with it. Take what is salvageable to Scherer's and junk the rest
- Recycle building – they will pick the color closest to what is there. It will be a pole barn style with maybe a different roof color. Berry asked if Evan got everything needed for the state sent off, Mike said it will go to the Town of Fowler. There are still some state requirements as well. Jeremy is a couple of weeks behind
- Stone – will be picking up the radius stone. The board asked Mike to check the railroad crossings.
- Oil – They only have about 300 gallons left
- Aaway / 300 S – Fields asked what it would take to make that intersection a 4-way stop. He has been receiving some calls about it. They talk about the fields restricting views. Berry said that it would require an ordinance.

Bill Brost – Taxpayers

Bill wanted to discuss the internet within the Willow Ridge Height subdivision. Bill asked if it was going to be underground, yes it will. He then asked about his residence and said that they are a mile from his house now. Berry stated that it is \$60,000 a mile. Brost asked why it is being done for some but not all. He just wants it to be fair for all and he does not need more poles, he has 11 miles of poles to mow around and does not need anymore. Berry will reach out to Zach at Mainstream to see what can be done.

Bill then asked about tarring in the subdivision. Angie stated that she was nothing was located in the Records office; he believes it was in 2003 and asked for the minutes to be reviewed. He has another subdivision in Oak Grove with no asphalt. There are 3 lots and has sold 2 lots. Bill was told he needed another inch of asphalt. Berry said that the county does not want to maintain it but that the minutes will be reviewed.

Benton County Commissioners Meeting August 15th, 2023

Bill added that he did not get any help moving the tool shed out of the subdivision, and the visiting judge said that he was doing everything right and the county issued the permit.

Bill then asked about the windmills. He said that he thought they were supposed to build onsite. Berry said that they were using the SMT's to haul them around. Bill said that he has damage to four of his fields because they walked them. Two of the fields damaged are for his neighbors' windmills. They tied out in his corn field 800 feet four different times when they put the new ones up and it is 20 to 25 feet wide. Berry said he would share Frasier's number with him, Bill already has it. Bill asked who was going to back him, Berry will. Bill said there are going to be big problems with all of the water standing as well. Berry asked him to get the turbine #'s.

Jason Fisher – EMA & DHS Director

- Medic 2 – back in service and mounting on new truck is being done.
- Ambulance - \$313, 402.00 is the cost and Jason requested the claim be approved to be paid as a pay at once so they can pick it up next week. Commissioner, John Fields motioned to approve pay as a pay at once, seconded by Commissioner, Mike Freeland and motion carried. Commissioner, Bryan Berry abstained from voting
- Tuition costs – Jason presented the tuition invoice for the two new paramedic students in the amount of \$13,395.62.
- Fire Dept – Jason requested that the payment for the used stretcher cot purchased be approved to be paid as a pay at once also so they could get it and get the repairs started. The repairs will cost \$7,000. This was approved with a motion by Commissioner, John Fields, seconded by Commissioner, Mike Freeland and motion carried. Commissioner, Bryan Berry abstained from voting.
- Updates – they are 142 runs ahead of last year.
- Hiring update – the newest medic is still waiting for IU to determine the buyout. He has held some interviews and offered the position to 2 individuals, but they backed out due to pay.

John Cox – Sheriff

- Water – there is a leak somewhere and John is working with Town of Fowler to try and determine where it is. It is not a continuous leak
- Fleet – Derek's new unit is in service and the 2nd chevy is at Alsop's for outfitting. The 2018 Durango has a cracked head. The 2016 Dodge (pool car) they are looking at getting the rear end fixed.
- PT CO job description – John would like permission to create a PT correction officer position. The board is ok with him moving forward
- Handbook amendment for his department – He would like permission to look into rewriting the section for his staff that if they use PTO that will count towards hours worked and not affect their overtime. The board is ok with it him writing something up

Benton County Commissioners Meeting **August 15th, 2023**

and they will review and approve as long as his budget can handle the change and increase in OT pay.

- Adeway / 300 S – he is looking to see what needs to be done to make this intersection a 4 way stop. Berry said that an ordinance would need to be established if they decide to move forward. Sheriff Cox asked if the board wanted him to pull crash/speed data. The concern is the increase in accidents when/if they are first installed.
- Charge out process – Sheriff Cox has reached out to the state police to see how/what their process is for charge out processes for escort services. Sheriff Cox asked the board if they were ok with him doing that still. Commissioner Berry does not want any part of it. Commissioner Fields said that he feels if the deputies are out there it will send mixed signals to the community. The full board does not want to put the deputies in harms way.
- Fair board – there is interest from an individual in becoming part of the fair board officers. The board asked them to prepare a list for them to review and then in January they would do the official appointment
- New building – Sheriff Cox has shared the blueprints and had the trusses for a raised ceiling. There will be more room in the exhibition and multipurpose room. It will have two HVAC systems. The board feels that the patio needs to be extended out further, Fields suggested 30 feet, Freeland agreed. Berry stated that it still has too much storage area. Cox said they reduced it to 12 feet to eliminate 4H from having to move stuff back and forth. Cox would like it to be insulated and to leave room for expansion at a later date. In regard to the architect request for the drawings, the board needs to decide if it will be general contractor bids or choose a general contractor

Todd Sowers & Sam Rosenberg – Atlas

They have been in Benton County since 2021 and feel that they have been good stewards, so they have come today to request a blanket bond. Berry said that it isn't that he has a problem approving them one but that the other company that has one is local, he then questioned the \$5,000. Atlas said that it would be the annual fee paid for the 500,000 coverage. If the board feels another number is more appropriate, they can discuss that. Berry said as long as they know that will not cover the per turbine fee. They continued by saying that if they are approved, they will not change their approach and they will apply each year. Berry said that if the area gets bigger, they will need to make an amendment, and the repower would be something completely different. The board said that they are ok with a blanket bond, and they are ok to move forward getting that drafted and share it with Mike Budreau as well as them. Mike Budreau will continue to be the one that determines which route they are to use as well.

Leslie Fisher & Chrissie McCutcheon – Soil & Water

They came today to provide some quick updates.

- Funding – 319 grant they are wrapping up the grant that supplements their salary. They have reapplied and should know if they were approved in November.

Benton County Commissioners Meeting August 15th, 2023

- Staffing – Lora is still working with them, and she is paid by grant funds exclusively through May 2024. They have also reapplied for another grant for her position
- 875,000 funds for landowners through a grant – it has been spent so there is still 4 years of work on those projects
- NRCS – the extra conservation money set aside should have enough to fund everyone instead of the typical 30%
- Projects – There are nitrogen sensor trial project in the creek (cover crop). They are doing this to watch what the nitrogen does in the stream. Solar panels on some of the bridges to monitor this
- Traveling display – it has been set up at a few libraries and received positive feed back
- Event – some highlights / stream clean up, water testing training, will hold another community event as well
- 2022 highlights – these were shared with the board as well. conservation measures mainly within Big Pine watershed
- Governor’s award – Leslie shared photo while receiving award.
- Boswell pond (fairgrounds) – last year there were no fish caught from the pond, this year has been a little better but not much. Leslie suggests that they do a restock from time to time. She feels that there are families using the pond to feed their families. Also, she stated that the overflow was plugged up but has been fixed. Fields asked when the last restocks was, they believe it was in 2019

Chrissie added that Leslie just returned from IOWA and is now the President for the Soil and Water Conservation Society in Indiana. The board congratulated Leslie on her achievements.

Angie Taylor – Economic Development

Berry congratulated Angie on securing another grant for the county. Angie thanked the board and said that with the real cloud initiative – people want to visit farms of a variety of types.

She said that she has a lot of things to wrap up before her last day. The board thanked her for her services and a job well done and wished her the best of luck.

The board temporarily closed the Commissioner’s meeting at 9:14 a.m. to hold a bi-county Drainage board meeting on the Darby ditch. The regularly scheduled Commissioner meeting reopened at 9:49 a.m.

Those in attendance were Commissioners Bryan Berry, Mike Freeland, John Fields, County Attorney, Jacob Ahler and County Auditor, Audrey Freeland.

Others in attendance were: Kelly Balensiefer, Carole Hoff, Sam Smith, Gail Lange, Sarah Cantu, Miranda Wirtz, Kathy Sarault, Don Carless, Dennis O’Hara and Beth Budreau

Benton County Commissioners Meeting August 15th, 2023

The board started off by reviewing the favorable request to rezone a property from A1 to B2. This was then approved with a motion by Commissioner, John Fields, seconded by Commissioner, Mike Freeland and motion carried.

Business:

The Commissioner meeting minutes from 08.01.2023 were approved with a motion by Commissioner, John Fields, seconded by Commissioner, Mike Freeland and motion passed.

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

Payroll (08/11/2023) was approved as presented. It was approved with a motion by Commissioner, Mike Freeland seconded by Commissioner, John Fields, motion carried.

The annual Nationwide opt-in/opt out forms were presented. After a brief discussion and the board stating that they will not select which investment options should be offered a motion was made to opt out by Commissioner, Mike Freeland, seconded by Commissioner, John Fields and motion carried.

Commissioner Berry asked the board members what day would work best for them to hold an executive session. It was decided that an executive session would be held on August 31st, 2023, at 9 am

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

Berry asked since mud creek is regulated if the DNR can go ahead and have the meeting, yes that is correct

Berry spoke about resumes being received for the Economic Development Director position and the board discussed when they might possibly begin to hold interviews, nothing was set.

The board discussed the ordinance needing to be approved for the daily fine again OMI with the last line redacted. This ordinance was approved with a motion by Commissioner, Bryan Berry, seconded by Commissioner, Mike Freeland and motion carried

Metro-comm is on the state line and coming to Fowler will not provide free service but want to use the county's right of way. It was discussed to charge them for each house and/or business they pass. The board discussed fees and counter offers and if they wanted to just stick with Mainstream. A possible route was discussed for them to come in on. Commissioner Freeland asked if they should come before them again. Commissioner Berry said that their attorney said

Benton County Commissioners Meeting August 15th, 2023

they could provide us with the service. The board said that they will need to come back in front of them before they approve anything.

Commissioner Berry spoke about AEP and how they are looking to sell their 50% to eliminate their partnership with BP, this is for Fowler Ridge II. Berry asked the board if they want to charge a fee for the transfers. When Fowler Ridge II was established, they paid per megawatt, so the board discussed charging a reduced fee. They were advised by Attorney Ahler that an ordinance could be drafted for this purpose and stated that it should be for all wind companies that choose to do this, but if there is no fee charged then there is no need for ordinance. The verbiage will be clear that permits are to be based on megawatts and that transfers will be handled the same way.

Kathy Sarault & Miranda Wirtz – Health Department

They came before the board today to request the board's approval to opt-in for the new state public health funding. If the board decides to opt in while there are matching funds required, it will be less than what is being budgeted each year. The first year will be a lower amount however, it is expected to increase the second year. There is also an annual option to opt in / opt out. The group reviewed the shall / should list provided by the state. The state has said that the amount will never be decreased.

Some of the items they would like to use the funding for is to move the secretary position for the nurse to full-time with benefits, add one additional staff person to allow current secretary more flexibility to assist the nurse since she holds the qualifications, office structure and expansion, and also securing staff within the health department as well. Long term changes would be to look into RN back up. The matching funds can be paid out of the County Health fund and the first-year match is over the 20% match. Commissioner, Mike Freeland feels the county should agree to opt in for a minimum of 2 years with the annual review. Commissioner Fields asked if he was correctly thinking that even if the county was to opt out, eventually the shall / should list will be something that is eventually required by the state, yes both Kathy and Miranda agreed.

Commissioner Berry went back to the 20% match and the break down. Miranda said that 20% comes from the 1st year. Commissioner Freeland asked if one additional staff member was going to be enough to cover all of the shall / should. Miranda said that they are going to focus on the shall(s) first and added that they are doing a lot of the should(s) already. She added that 10 percent of the grant funds can go towards capital outlays. Which then brought up the discussion of combining the health department and the county nurse's office or better workflow and they discussed other options as far as location.

Commissioner Berry asked Kathy and Miranda if they could pause their conversation so they can pull up the next agenda topic and then revisit the public health funding. They agreed.

Benton County Commissioners Meeting **August 15th, 2023**

Don Carless & Dennis O'Hara – EPIC Insurance

They came today to provide the annual medical renewal as we get closer to open enrollment. Don said that it is a flat renewal as the plan is running very well and the claims are lower. Don presented a renewal outline for them to review. He discussed the stop loss premiums, overall exposure and an overall fixed increase of about 2.4%. They discussed the RX claims and the max as well as the expected per employee estimation. They discussed the guaranteed amount for additional voluntary life. In the different options quotes were given from Guardian, Sun Life, Reliance and Principal.

After review and discussion on the options available Commissioner, Mike Freeland motioned to approve option 1 with no premium increase to the employees and to select Principal, seconded by Commissioner, John Fields and motion carried

Kathy Sarault & Miranda Wirtz – Health Department continued

Kathy and Miranda came back before the board to continue their discussion. They reviewed the requests for the new position(s) and their desire to have their offices combined or in the same location. Some suggestions were given as to where they could be placed. Miranda stated that with both offices being there they would also be able to cover more of the shall / should if the board decides to opt in with the other individuals to help assist. Miranda wrapped up by saying that their presence is making a difference.

Commissioner, Mike Freeland made a motion for the county to opt in for a minimum of 2 years with the annual review, seconded by Commissioner, John Fields and motion carried. The board signed the paperwork to opt in.

Business continued

A default judgement was filed in regard to lawsuit again J.O.B.S

Attorney Ahler discussed the property in Boswell that was not taken to deed by winning lien buyer. The board will gift the property to the Town of Boswell once resolutions are signed by both parties. Matt Hull talked about another property in Boswell where there was a fire and the safety of the chimney and overall structure

Auditor Freeland gave a copy of the equipment purchased from Jarvis and sold by Fowler Food Market and Deli to Attorney Ahler.

Carole Hoff asked to be put on the next agenda to discuss HR

Benton County Commissioners Meeting
August 15th, 2023

Commissioner Berry discussed the proposed agreement from BP for the next three years. Commissioner Fields feels that the county should counteroffer. Attorney Ahler advised about some language that needs to be added stating that it is assignable to any future buyers.

Commissioner Berry and Attorney Ahler discussed the contract that was in place in regard to the equipment that was sold.

Commissioner Berry will email BP with the requests of the county of same amount but paid in two years and verbiage that the county would like added.

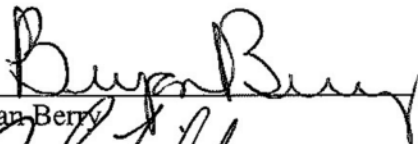
Kelly Balensiefer – Assessor

She wanted to talk about the county vehicles that are talking about being sold. While she does not care if that is what the board decided to do, she wanted to make them aware of the savings her office has provided by having the vehicle to do the fieldwork. If they do not have a vehicle it will need to be contracted out through a bid process. They look at 1970 parcels a year, they have to go out after each sale, new constructions, removals, any natural disasters, appeals and with the new homestead laws there will need to be something put into place for that. Kelly gave a brief overview of the changes on the homestead property.

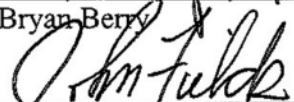
The board said that in lieu of having a county vehicle they will pay mileage to the office. Kelly said that it was not a prerequisite for the position.

The group then had a brief discussion on drug and alcohol testing and that there will be adjustments made to the policy and personnel policy will be amended.

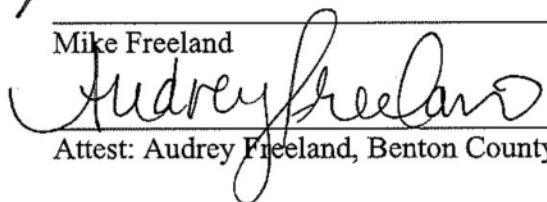
With no further business the meeting adjourned at 11:50 a.m. with a motion by Commissioner, Mike Freeland, seconded by Commissioner, John Fields



Bryan Berry



John Fields

Mike Freeland


Attest: Audrey Freeland, Benton County Auditor