

Benton County Commissioners Meeting September 6th, 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, John Fields, County Attorney, Jacob Ahler and County Auditor, Audrey Freeland.

Others in attendance were: Mike Budreau, Colin Sullivan, Jennifer Greenberg, Matt Hull, Jason Fisher, Tim Tabert, Kay Tabert, Andrea Bowman, Kelly Balensiefer, Lana Wallpe, Chris Sheetz, Jon Charlesworth and Meredith Cobb

Jennifer Greenberg – Clerk

Jennifer came before the board to get approval for the Earl Park church to be a voting center for the Town of Earl Park election on November 7th, 2023. This was approved with a motion by Commissioner, Bryan Berry seconded by Commissioner, John Fields and motion carried.

Mike Budreau – Highway Supervisor

- cleaning up guard rails around bridges
- installed a new pipe
- bridge quote – 400 E (Bridge - \$144,000)
 - Leuck Dirt works - \$76,800
 - Premier - \$165,140

Mike will get more information from the two bidders on what is all included-Tabled discussion

- mowing roadsides
- BP – they want to add 4.4 miles, but the county does not want to allow them to do that. County will have them stay with permitted miles and if they want anything further, they will have to come in front of the board
- Frost law – Winger is adding some grain bins and reached out regarding frost law and possibilities. The board discussed some options; gravel and cement stabilization but nothing was determined or approved

Jason Fisher – EMA & DHS Director

- Festival update – there were 30 to 40 patient contact. Staff did a great job
- IT room – ongoing and waiting to talk with Silverback about security measures. The annual cyber security training will be coming soon
- Ambulance – the new ambulance has arrived and will be put into service by this weekend

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- EMS bldg. at fairgrounds – board stated that the project is on hold at this time. They discussed the Boswell building and concerns
- Generators – Jason spoke with Metzinger, and he will be on the October service rotation

Matt Hull – Building Inspector

- Boswell property – Matt will reach out to the Town to discuss the chimney
- Unsafe buildings – will be moving forward with the list Matt has which has been notified and time has expired excluding the old Oxford school. Attorney Ahler will work with Matt to get documentation needed

Tim Tabert, Kay Tabert, Lana Wallpe, Meredith Cobb, Andrea Bowman and Chris Sheetz– Community members

Tim came before the board to discuss the new building at the fairgrounds. He along with others present had some concerns and suggestions for the new facility. They would like to see a full kitchen, tables and chairs and other amenities. They feel it should be more accommodating to potential renters. A discussion on capacity was had, along with the location being a possible location for meetings and other functions and would like to have more community involvement.

The group asked the board about requesting donations for the items needed and felt that the community would be willing to be involved. The board stated that the funds set aside for the project are spoken for and they would like to see the project complete before next year's fair. The community members asked about getting donations or items donated and listing those individuals or families on a plaque or something within the building.

After further discussion and ideas what how the facility would be utilized if it was equipped, the board stated if they could find the funding and to come back for further discussion. They thanked the board for their time.

Auditor Freeland read to the board a list of items that Sheriff Cox wanted to provide to them.

- jail locks – looking into how/where they can be fixed or replaced
- Fleet – one Durango in getting a cracked head repaired. one truck is in shop for leaks. 2nd new truck will be completed later this month

Kelly Balensiefer – Assessor

The board discussed the possibility of keeping the department vehicles and how there is not enough funding in the remaining budgets to finish out the duties of those departments. The

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board discussed keeping the vehicles and leaving them out at the highway if it is ok with the highway superintendent. There was discussion on the use of those vehicles by other departments, employees and elected officials. The possibility of an ordinance regarding the use of the county vehicles to exclude elected officials unless they sign a waiver stating that they will be included in random drug testing.

The discussion continued and then it was determined to keep the vehicles at the county highway and to get a policy for use written and in place. They will be kept at the highway and no other departments are able to use those vehicles. Commissioner, John Fields motioned to retain the Assessor and County Health vehicles to be kept at the highway department seconded by Commissioner, Bryan Berry with the addition that a waiver to be put in place, and motion carried.

Colin Sullivan – BF & S

Colin gave a report on the bridge inspection that was completed in May. INDOT is requiring everyone to use a new program which doesn't allow Colin to run reports, so they are compiling one themselves to present to the county. Colin stated that Dave is also working on the RFP.

Business:

The subdivision discussion in a previous meeting was revisited. Since the subdivision has its own covenants the HOA would be responsible for enforcing that not the county. So, any new buildings should go before the HOA prior to any permits being obtained as well. Auditor Freeland said that minutes from 2001-2004 were reviewed and there was nothing found.

Commissioner Berry discussed the proposed payment they have submitted, it is about \$670,000 short. Berry said that since the county had to accept the payment as a community investment the taxes still increased. The group discussed different figures to take back to BP and the possibility of not accepting it at all.

Commissioner Berry said that on 09.16.2022 a request with Surf Internet to update the contract was sent and to date a response has not been received. Commissioner Berry would like notice to remove all of their equipment to be sent. Commissioner Fields agrees that should be done.

A letter was sent by Attorney Ahler to the New Jersey turnpike stating that the vehicle is not property of the county, and that the county would not be paying the fees.

Attorney Ahler provided a quick update.

- There are 5 properties he will be requesting to be demolished.
- There is a hearing date set for the lawsuit against J.O.B.S.
- Discussion of property that was sold and how to reclaim it

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- Civil rights lawsuit update
- Resolution for fund 1161
- AV agreement will be revised to have HB1401 language added
- Property to be gifted to the Town of Boswell status

The Commissioner meeting minutes from 08.15.2023 were approved with a motion by Commissioner, John Fields, seconded by Commissioner, Bryan Berry and motion passed.

The executive session minutes from 08.15.2023 were approved with a motion by Commissioner, John Fields, seconded by Commissioner, Bryan Berry and motion passed.

Monthly claims discussed (Move over outfitters, Petty Cash, Washburn Law and Fowler theatre) they were then approved with a motion by Commissioner, Bryan Berry, seconded by Commissioner, John Fields and motion carried

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

Payroll (08/25/2023) was approved as presented. It was approved with a motion by Commissioner, Bryan Berry seconded by Commissioner, John Fields, motion carried.

The board discussed placing a reoccurring Drainage Board meeting on the Commissioners agenda each meeting at 9:15 and then if there was no business they would open/close it. It was determined that starting in October 2023 at 9:30 a.m. there will be a Drainage Board meeting. The drainage board secretary will handle the advertisement of the meetings.

Commissioner Berry provided a repower project update from Fraiser. The data center might possibly be located on the antenna, then one at Freeland Park and possibly the fairgrounds if a repeater will not reach that area. Commissioner Fields asked about going to the west.

Metro Comm update (wanting to bring fiber from Stockland). There are 9 businesses and 1 house and will come to county to the adeway with a \$5 recovery fee. Commissioner Fields agrees that they need to pay for permit fees.

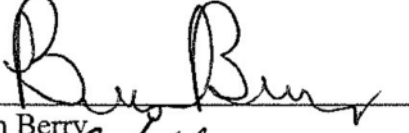
Ordinance for the new 1161 fund was tabled until the next meeting

Auditor Freeland asked about the County Home Cash rent advertisement and asked the board to review the previous advertisement and let her know of any updates needed. The board will review and revisit at the next meeting because they want to review the CRP versus tillable acres. The advertisement was discussed and that bids would be opened at the November 7th meeting.

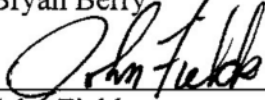
The board wrapped up discussing the need to hold interviews for the open Economic Development director position. They will be held in executive session on Friday, September 15th at 2 pm.

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**With no further business the meeting adjourned at 10:25 a.m. with a motion by
Commissioner, Bryan Berry, seconded by Commissioner, John Fields**

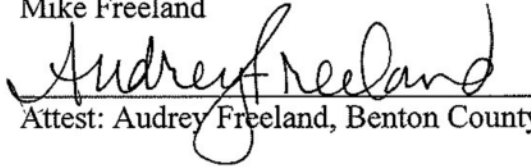


Bryan Berry



John Fields

Mike Freeland



Attest: Audrey Freeland, Benton County Auditor