

Benton County Commissioner Meeting

April 5th, 2022



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, Steve Cox, County Attorney, Jacob Ahler and County Auditor, Audrey Freeland

Others in attendance were: Gail Lange, Angie Taylor, Lucas Darling, Paul Jackson, Mike Budreau, Jason Fisher, Walt Wilson, Kelly Balensiefer, Dwight Snethen, Ron Shoup and Dave Fisher

Mike Budreau – Highway Supervisor

- Patching – they continue to patch as needed and weather permitting
- Pipe – the new pipe was installed on 600 W
- Stone – Mike was asked by Wayne Schluttenhofer if he would be able to get some stone out at the cemetery. The board is ok with that
- Grinding – Commissioner Cox asked if they had started grinding on 1200 and if they checked all the pipes. Yes they have and they will replace two but the rest looked good
- County Home – Mike asked if out back of the building (on the West/North) if instead of grassing that area can they lay down stone, yes that would be good.
- Junk items – there are some cell bars from the old jail and a fridge and Mike asked for approval to dispose of them. Yes there is nothing of value to the bars. Commissioner Freeland said to give him a week for the fridge
- Tractor – Commissioner Berry asked if the window was done, no they are not in yet.
- Windows – Commissioner Cox asked if anyone had looked at the big windows yet, no not yet. Commissioner Berry stated that Rick Deno would be coming out soon
- 500 N / 1000 E – Commissioner Berry said that the concrete structure out there (Waibel Road) is starting to wash out. Mike said yes it took the guard rails. Commissioner Berry asked if they need to put in a pipe. Mike stated that there is a lot going on out there but the pipe doesn't look to bad and he thought about putting some slurry out there.
- Macks – Commissioner Cox asked if there was any update, no not yet

Kelly Balensiefer – Assessor

Kelly is hosting the NW District Assessor meeting on April 27th, 2022 at the Fowler Theatre. She came before the board today to request approval for the following;

1. For a pay at once claim up to \$350.00 payable to the Fowler Theatre
2. For a pay at once claim up to \$450.00 payable to the Sun Dog Café
3. A new receipt line to be created within her Reassessment fund for the funds received from other meeting participants payments

All three requests were approved with a motion by Commissioner, Mike Freeland, second by Commissioner, Steve Cox and motion carried

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Dwight Snethen and Paul Jackson – Fowler Theatre

Dwight was approved by the TV show Kindred Spirits and they would like to do a ghost hunting episode at the old jail. They need permission to be on site and to film on location from the owners of the building. There are 3 documents; rights to use the images, rights to film and then a disclosure form to anyone who may be interviewed.

Attorney Ahler reviewed and said that he had no big objections to the board approving/signing if approved.

Dwight added that he has had someone ask him if the jail was for sale, and why it might not be the most excited piece to keep around he might be able to offset some of the maintenance costs through some grant opportunities. He continued talking about the paranormal activities these days and jails are a popular choice of location.

Commissioner, Steve Cox motioned to approve the documents to be signed, second by Commissioner, Mike Freeland and motion approved.

Dwight wrapped up saying that they are looking at about 10 locations and they will be around in May this year. He thanked the board for their time and support.

Jason Fisher – DHS / EMA Director

- Floors – Jason presented a quote to replace the bathroom flooring. Deno's quote was for \$1,937.64 for both bathrooms and a floating floor is not an option due to the floor drain. Commissioner Cox asked if it was tile, no it is linoleum. Commissioner Berry asked when the original floor was laid, 2009 or earlier. The quote was accepted with a motion by Commissioner, Steve Cox, second by Commissioner, Bryan Berry and motion carried. Let the record show that Commissioner, Mike Freeland abstained from voting.
- EOC area – a quote for carpet was presented. This item was tabled at this time
- Bound Tree – Laryngo scope quote was presented \$1,493.00 each. Commissioner Cox asked if there was any trade in value. Jason stated that he would like to keep the current items on back up trucks.
- Ambulance Billing – Commissioner Cox asked the new company was working out. Jason said that the old company will take about \$8,000 to close out account and then release all other funds to the county. Commissioner Berry asked if they have decided where the funds went. The old company billed everything they could and there were about 30 runs that were not billable.
- Bound tree revisited - Commissioner Cox asked if he had money in his budget for the purchase. Jason said that he does now but could cut him short toward the end of the year. Commissioner, Steve Cox motioned to approve the purchase of 2 laryngo scopes, second by Commissioner, Mike Freeland and motion carried. Jason will pay for out of his budget and if additional funding is needed later they will review funding then
- Run count – They are currently 60+ runs ahead of last year at this time
- Ambulance – Commissioner Cox asked how it was running. Jason said that they haven't had major issues. It is still doing the fuel idling system and will still shut off with the

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cab sensing system if the rear cab drops below a certain temp. There is a dealership in Lafayette that feels they fix that. Commissioner Freeland asked if they can resolve all the outstanding issues and do it quickly, yes they believe so.

- EMS Remodel – They are about 2-3 weeks from completion. Gail Lange asked if they were going to have a grand opening. Yes they plan on doing something the second week of May.
- USDA grant – Jason gave an update stating that the county only qualifies for 15% instead of the 40% they expected. Commissioner Freeland asked if they gave a reason on why. Jason said just the economic demographic numbers.

Angie Taylor – Economic Development

- IGA – She has not heard back yet
- Hotel – Commissioner Berry asked the board if they had reviewed the feasible study. Angie gave a brief summary and said that they seem positive but they need investors. They are looking for 5-10 people to invest \$100,000. Commissioner Freeland said that is a lot of money and it did not look like there was a guarantee return.
- Mainstream – Commissioner Cox asked for an update and if they pulled out of Fowler and move to Oxford. Angie was not sure. Paul talked with Zach who said they wanted to get one town completed and the town is now making demands and legal counsels are now involved. They do have crews to work so they will be moving to Oxford and Boswell. Commissioner Cox spoke about Warren Co REMC and how they already gave all the necessary permits. The state is not returning Commissioner Berry emails and Mainstream are not returning Angie's phone calls. Commissioner Berry asked Ron Shoup if Mainstream reimbursed the Town of Otterbein for the 15 lines that were broke. Ron asked who they would send the invoice too. Commissioner Berry said to send it to mainstream.

Business:

Commissioner Freeland asked Ron if Otterbein has their own building inspector. Ron stated that yes they do. Commissioner Freeland said that hopefully Boswell does soon also because the board feels that the towns should be involved.

The Commissioners spoke about the Fire Departments who recently visited and discussed the county assisting with new equipment purchases. Hickory Grove/Ambia has already received their payment in the amount of \$30,000. The board had a brief discussion and then a motion to award Boswell VFD and Richland VFD departments each \$30,000. Commissioner Freeland asked if Oxford was involved at all, not at this time they have not come in or reached out to any board members. Commissioner Berry stated that Otterbein has new packs and possibly Oxford does too but he is not sure. A motion was made by Commissioner, Steve Cox, second by Commissioner, Mike Freeland and motion carried. The claims will be paid out of megawatt (4904-000-02.01). Commissioner, Mike Freeland motioned to approve payment as a pay at

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once claim, second by Commissioner, Steve Cox and motion carried. Let the record show that Commissioner, Bryan Berry abstained from voting.

The March 15th, 2022 regular scheduled meeting minutes were reviewed and approved with a motion by Commissioner, Steve Cox, second by Commissioner, Bryan Berry and motion carried.

Commissioner Berry asked who Black Horse Enterprise Company was. Auditor Freeland stated that it is a company they have used for a while for forms, receipt books and etc. but she cannot remember who they merged with. Auditor Freeland then heard back from AP Deputy and it they used to be Haywood Printing. The board liked the new view option that is being sent for their review. Monthly claims were approved with a motion by Commissioner, Steve Cox, second by Commissioner, Bryan Berry and motion carried.

Pay at once claims were reviewed and approved with a motion by Commissioner, Steve Cox, second by Commissioner, Bryan Berry, and motion carried.

Payroll was approved as presented. They were approved with a motion by Commissioner, Steve Cox, second by Commissioner, Bryan Berry, and motion carried.

A new ordinance for the County Offender Transportation (for probation), some of the funds will be receipted into the user fee fund with a new account line and this new fund. The ordinance was approved and signed with a motion by Commissioner, Steve Cox, second by Commissioner, Mike Freeland and motion carried.

Commissioner Freeland asked if fund 4961 was created, yes it is a new fund created for the \$5.00 fee per user due to the county. Commissioner Cox talked about a recent meeting he attended. He stated that Town of Fowler wanted free Wi-Fi and a lot of other amenities for them coming into the Town. The mainstream fiber fee ordinance was presented and approved with a motion by Commissioner, Mike Freeland, second by Commissioner, Steve Cox and motion carried.

Ron Shoup asked the board if they knew what the status for Mainstream is for Otterbein. The board is not sure.

Commissioner Freeland asked Auditor Freeland if the documents were found for the opt back in for the Opioid settlement, yes we did.

Commissioner Freeland asked if the sign in Boswell and the meal for Kevin's celebration was paid for, yes it has been.

Commissioner Freeland asked about the Mental Health day. Auditor Freeland stated that Valley Oaks has a mental health day wear they wear green and are asking all the counties they service to turn the lights at the courthouses green. After further discussion the board will not change the lights but will post a Wear Green sign on May 7th.

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With no further business the meeting adjourned at 9:15 a.m. with a motion by Commissioner, Mike Freeland, second by Commissioner, Steve Cox, motion carried. The board then went into executive session. The regular scheduled Commissioner Meeting was reopened at 9:35 a.m.

Those in attendance were as follows: Commissioners: Bryan Berry, Steve Cox and Mike Freeland. County Attorney, Jacob Ahler, and Auditor, Audrey Freeland, Paul Jackson, Angie Taylor, Gail Lange and Jason Fisher

The board asked Auditor Freeland to post an executive session for April 8th, 2022 at 10:30 a.m. She will get it posted. The board then stated that effective today no more timeclock edits will be entered manually and County Home Superintendent, Tonya Robinson will be moved to an hourly rate from salary. This was approved with a motion by Commissioner, Bryan Berry, second by Commissioner, Mike Freeland and motion carried.

The board asked Auditor Freeland to send Tonya an email stating the changes approved today and they expect all claims to be turned into the Auditor's office in a timely fashion.

Jason came back in front of the board to ask what was needed and if he could have approval for accepting a free bus (no longer running) from an individual. He would like to use it for training and then get rid of it. Commissioner Berry asked if they were preparing a resolution or if the county was, Jason was not sure. Commissioner Berry asked Attorney Ahler if they could use their minutes, yes they can. Jason said that the highway might be able to haul it so there will not be any towing costs. This was then approved with a motion by Commissioner, Mike Freeland, second by Commissioner, Steve Cox and motion carried.

Business continued:

911 remodel update was given by Commissioner Berry. They are currently waiting on some equipment that is currently sitting in Canada.

Commissioner Freeland asked about Shawn Leuck and if either board member had talked to him, no they ^{had not} cannot. Commissioner Freeland said that he will reach out and see if Shawn is still interested in laying the flooring. Commissioner Cox said that the floor needs to be leveled first. Commissioner Freeland said that the lumber yard has the stuff for that.

Auditor Freeland said that she received a letter from Gretencord Lawn and Service. Commissioner Berry said yes. Commissioner Freeland said he would like to have a detailed list on what he is actually going to do.

Auditor Freeland asked Attorney Ahler if he sent a letter to Menard's saying that no changes can be made without the board's approval. He stated that a letter was sent to someone and he was not sure but would send her a copy of what was sent. The board and Attorney Ahler asked Auditor Freeland to invite any department head that has a menard's store charge account so they can discuss how the authorized individuals will be handled moving forward.

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Auditor Freeland asked if the amended Capital Improvement plan is approved. Commissioner Berry motioned to approve the amendment, second by Commissioner, Steve Cox and motion carried.

Auditor Freeland asked if the quote from Premier Services is still tabled at this time, yes it is.

Auditor Freeland asked if the board wanted to amend the pay at once ordinance to allow BMV and contractors. She is at least requesting for BMV so the county is not paying late fees. Commissioner Cox said that he was ok with changing it because the contractors call and complain. Commissioner Berry said that if the contractors submitted things timely they will be paid out in thirds as it has been. He continued by saying that he would not vote in favor of changing it. Commissioner, Steve Cox motioned to approve amending the pay at once ordinance to include contractors and BMV claims. Auditor Freeland asked if the contractor's needs to have it itemized that they will only pay out in 3rds. Commissioner, Mike Freeland amended Commissioner, Steve Cox motion to exclude contractors but approve BMV to be listed.

Auditor Freeland said that she attended a class where they discussed the opioid settlement and how the funds can be utilized. She said that they are stressing that counties establish a JRAC board unless they want the sheriff merit board to have full control. The board had further discussion and the topic will be revisited at a later date. Gail Lange asked if the Coalition could act as the JRAC board, no they cannot. There are qualifications that members of the Coalition do not have.

Auditor Freeland said that there was a letter received on a property in Parish Grove that the individuals who have been paying the taxes will no longer. Attorney Ahler said that if there is no family it will go to the estate not the county. Auditor Freeland said that from the counties standpoint all we can do is wait until it is eligible for tax sale.

Auditor Freeland presented the amended ARPA plan after attending a budget and finance class where the AIC presented a class stating that if the county commissioners accept the money as loss revenue if amount awarded is under 10 million the ways the money can be spent is lifted. Auditor Freeland is asking the board to do this and then she will present to the Council so they can approve the appropriations. Exhibit A2 was reviewed on the amounts adjusted. The amended plan was approved as presented with a motion by Commissioner, Bryan Berry, second by Commissioner, Mike Freeland and motion carried.

Auditor Freeland stated that the toll fee she sent out for review has been determined that it is not the county's to pay.

Auditor Freeland asked Attorney Ahler if there was any updated verbiage for the ACH agreement to the Fowler State Bank. Attorney Ahler said that he already sent that to Steve Brunton. Auditor Freeland asked for a copy of it so she can take it to the bank when she has to go in and resign the agreement.

Auditor Freeland asked for update on the data cloud email she sent on 03.15.2022. At this time the board does not wish to move forward.

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Auditor Freeland presented the opioid settlement documents that need to be resigned.
Commissioner, Bryan Berry signed

Auditor Freeland presented an Internal Control policy 5-11-1-27(E) which has been in place for years it is just more in depth. Attorney Ahler reviewed and was ok with the policy as presented. The board approved and signed the policy for recording purposes.

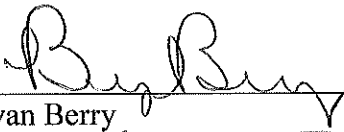
Commissioner Berry asked Attorney Ahler if a letter was sent to the clerk, yes it was done over a month ago. He continued that they are still receiving complaints and would like to file a junction against her. Attorney Ahler

Attorney Ahler said that a letter went out to data cloud as a second attempt for them to receive it.


Gail said that she is doing a promotion for Indiana Humanities. It will be a film and it will be viewed at the Fowler Theatre.

Gail said that she would like to be included or informed when the EMS open house date is set. They will make sure she is informed.


Attorney Ahler gave a quick update stating that he has still not received a response in the Keener case.



Bryan Berry



Steve Cox



Mike Freeland



Attest: Audrey Freeland, Benton County Auditor