

## Benton County Commissioner Meeting February 21st, 2023

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 Attorney, Jacob Ahler and County Auditor, Audrey Freeland.

Others in attendance were: Mike Budreau, Walt Wilson, Sam Smith, Gail Lange, Angie Taylor, Carole Hoff, Jason Fisher, John Cox, Dave Fisher, Shawn Gardner, Kelly Dunne and Michael Garter

Commissioner Berry spoke to the room about HB247 that was going to allow local control regarding carbon sequestration did not make it out of committee; it was beat 4-7. He has spoken with Senator Niemeyer, and he said that the governor's office reached out to the committee and asked them not to vote for it. The Governor's office does not want a hayseed commissioner and a bunch of farmers dictating what is going to happen with economic development in the state of Indiana. Commissioner Berry said that he thanked Senator Niemeyer for his support. He said that he is very disappointed in how it has turned out, evidentially BP has to have the carbon sequestration done to get their money to do the hydrogen plant. The AIC stated that they had heard the same thing. From this – Benton County does not matter. Commissioner Berry said that Senator Niemeyer has been in discussions with the county since the advisory plan commission came up with the ordinances, which Niemeyer used when drafting the HB247 that basically said that it gave the local people the control on the carbon sequestration on decisions. Apparently, that would have affected all the state of Indiana if they would have approved the bill, but Berry said that is hard to believe as they were just concerned with what be allowed to happen within our county. Gail asked if the 70% matters or not, yes it still matters. Berry went on to state that if they put in 12 well heads that will be like 20,000 acres, they will take eminent domain on. Not to mention it would be approx. 300 million dollars of property value and they are going to pay 2 million to control it. It was said that they did not want the locals to be able to control the pipeline, but they would have input on the well heads. The board stated that they are still not in favor of this.

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

- Roads – they are out working the roads. They have the drags hooked up and running
- Berm – they are cutting. Berry asked if they are still using the little one pulled by the tractor. Mike responded that they are when they can but not often
- Dairy – they are working up by there today
- CCMG – when is the next sign up for community crossing grants, July will be the next one. They will work with Mike to get a list. Commissioner Fields said that 700S is not as bad 800S south of 352 from the adeway to 200 E. He feels that 800S is probably the worst and is not sure if it was ever blacktopped but added that Ambia roads are in good shape. Mike said that they will look at them and add them to the list. Fields said that during harvest 26 was closed so they were going up to 55 and asked if that project is finished. No, it is not done, and they were awarded another one. Mike stated that he just did an RUA for them for a project from 875 (Warren) to Benton County's 9 South to come across but they won't use it because it is gravel. Pine Village to 41 is supposed to be done.
- Trees – the INDOT project set for 55/Washington is causing a few calls, but they are directing them to the Town Hall
- Chase Bridge – Commissioner Fields asked if the state reached out about doing it this summer. Mike said they made a ULD that will go 200 W down in front of the racetrack road and back

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across 1. It is supposed to be the route they take, and it is the shortest way back. Commissioner Fields said that they are supposed to resurface 352. Mike replied that they don't tell him all of that. Commissioner Berry said that they are widening it first.

- 352 – Near Dwenger's there is a pipe that will be replaced, and they want to go up to 400 and Mike has told them no.
- Resolution for gifted property – Mike asked the board to sign the resolution to accept parcel from the Town of Fowler to the County for the new building addition. Commissioner, John Fields motioned to approve, seconded by Commissioner, Mike Freeland and motion carried.
- Employee status – Mike is still down 2 people but is receiving some applications

### **Jason Fisher – DHS – EMA/EMS Director**

- Tower – J&K gave two quotes for standing towers. One for 100 ft and one for 80 ft. Commissioner Berry said they would be talking with them again today
- Grounding towers – they will be grounding the towers on March 8<sup>th</sup> for both towers and he is not sure about the static box yet.
- Invoice – Jason is asking approval to pay for the advance EMT class books and materials, yes that is ok to be paid. Jason added that upon finishing the class it will give the county an additional 3 advance EMT's.
- Tuition reimbursement – Josh will be coming to the March 7<sup>th</sup> meeting to discuss what needs to be done with his other position available to him. Commissioner Berry asked if he completed the class, no he did not and dropped out of the class.
- PT position – Jason is seeking approval for a new part time position to be created and named Medicaid and Medicare billing clerk. He will be taking these duties from Josh Rutledge and will reduce his salary by \$5,000 (if approved) and placed in the new account line. While Josh is still working and saving the county valuable dollars it is becoming more than originally anticipated. Jason asked the board to also consider the position to continue after the audit period closes. Commissioner Berry asked if he had the funds within his budget, yes for this year there should be more than enough. Commissioner Fields state that Josh's money comes out of the EMA (Jason said yes part of it does and then the other part comes out of EMS). The reduction will come off the EMS side of what Josh is paid for. The total cost will be about \$12,000 for the position. Commissioner Fields asked if that is all they would be doing. Jason said that they would be doing the Medicaid & Medicare, claims and other admin assigned clerical. The board approved the position on a temporary basis which will be reevaluated later for continuation with a motion by Commissioner, Mike Freeland, second by Commissioner, John Fields and motion carried.
- Energy grant – Jason has applied with for a grant for \$50,000 and will be for LEPC. Commissioner Berry asked about the other grants. Jason said that he is still waiting to hear back from other agencies on what they have gotten and recommend.
- IT Room remodel – From the grant and the restructuring of the IT room Jason has only been able to obtain one bid on the drop ceiling. It will all be done by Ron Lehman. Commissioner Berry asked if the HVAC units were ordered yet, no they want us to wait until after the study but hopefully by end of the month. Commissioner Berry would like those installed prior to the ceiling being lowered. There will be more information on this once the environmental study portion of the grant has been completed. One of the main concerns is the large window and what can be done to make it more secure. Commissioner Berry asked Jason to get a quote for securing it as well as a smaller window.

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- Coroner – Commissioner Berry informed them that Matt has checked out the van that was used for inmate transports and would like to have it for the coroner’s office for body transports. The lights will have to be changed from blue to red that will cost around \$400-500. The Commissioners will find funding to get that switched.

**John Cox – Sheriff**

- Brouillette’s – John said that they are doing a great job. They have replaced/unplugged the slop sink
- Radios – the J&K portable radios and Kenwood radios are working well, and the guys like them. John has been working with Jason on this and will continue to replace other radios with them as he can
- Clean up on fiscal items – John reiterated that he is still moving forward with closing all the small charge accounts that are scattered. He would like permission to get a “purchase card” or a credit card for the department that will have to be signed out for use. John would like to know what upcoming expenses are going to come out of his budget instead of the surprise ones he is currently getting. It makes it difficult to know where he is and to stay fiscally responsibly with all the unknowns. Commissioner Berry asked if there would be just one person who will be authorized to use it. John said that it would vary on who was needing to purchase. Commissioner Berry asked him what limit he was looking for. John feels that is \$1500 is more than sufficient. Commissioner Berry asked Auditor Freeland if they would need to amend the credit card policy, she stated probably should and referred to the County Attorney who recommended that it was changed. The board approved John getting a department card with a motion by Commissioner, Mike Freeland, second by Commissioner, John Fields and motion carried.
- Merit board – Paden Clements will be returning to the county as a deputy with the merit boards approval. He will officially start with the county on March 11<sup>th</sup>, 2023. This will give John a total of 5 deputies. He will be holding a physical/agility test the first part of March and he has received 12 applications. From there he is hoping to offer the 6<sup>th</sup> deputy to one and then asking some of other top candidates if they are interested in a CO position which will assist them in their future careers as deputies.
- Donation ordinance – this was approved at the last meeting, so it was signed today by the board
- Equipment replacement – continuing to work on finding grants, looking through the equipment to see where the money should be allocated first to replace outdated items. He has determined that there is no car video (which is a huge safety risk) and all the laptops for deputies need to be replaced.
- Donation request – John will be reaching out and requesting donations to help assist with the ½ cages being placed in the back of the trucks for deputy safety. This will cost approximately \$3,000.00 each.
- Grant – body worn camera grant is underway and they are excited for them to come in
- Inspection – the state fire marshal will be onsite today for the annual inspection
- Jail Inspection – John is still working on putting together a 3-year plan. He gave a brief update on the jail roof. The company that come out said that there was no need for an engineer however they advised to make sure any company that bids has experience with this type of work. Commissioner Berry asked about making sure the foundation is stable before replacing the roof. The board is not opposed to John having people come look and offer suggestions. John added that since the roofers have done some work, they do have a little bit of time as they have stopped the leaking

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- Ambulance billing – this has all been set up and running through the quality correctional care
- Donation ordinance – the board went ahead and motioned to approve the sheriff donation ordinance with a motion by Commissioner, John Fields, second by Commissioner, Mike Freeland and motion carried.

**Carole Hoff – Treasurer**

- Postage – Commissioner Berry stated that he thought that it had postage included. Carole said that no and that is why she is here because she cannot cover that from her budget since postage is no longer budgeted by department. She presented a copy of the email she received and said that she cannot provide a hard number at this time. Commissioner Berry said that is why he stated that they are paying the postage anyway so that will not be an issue. Carole said that the other question she has is last year she spent about \$1,000 in clerical funds to have individuals come in and assist with folding and mailing out the tax statements. She is hoping the board will allow her to take \$1,000 from her 2023 clerical to help pay the bill. Commissioner Berry said that is fine because she will not have to have them do that this year. Carole said that she would looking to take the envelope, printing, misc. maintenance, and clerical funds to cover the expenses. Commissioner Freeland asked what the total expense was going to be. Carole said first this is an estimate, but they are saying it will be around \$2,715.33 but with the accounts she listed she has approximately \$3,253.55 if the board covers the postage. Commissioner Berry said that the board would cover the postage expenses, he also asked her if she can see if the mailing label can be changed so it does not show that it is being mailed out from New Albany. She is unsure if it can be but she will ask.
- Comp time – Carole said that she heard this was denied and was wondering why. Commissioner Berry said that they were confused on it and Commissioner Freeland added that they thought that it was from last year. That is what was earned last year total. Commissioner, Mike Freeland motioned to approve comp time for Kate Daily for the 2023 tax season, second by Commissioner, Bryan Berry and motion carried.
- Transfer – Carole asked if she had to do anything special to move the clerical funds. Auditor Freeland stated that she will need to submit a transfer request form. She also advised that the County Council cannot approve transfers until their April meeting so it will not show on Carole's monthly reports until then. Carole said OK. Auditor Freeland then stated that she would also do a salary ordinance amendment for the reduction for the council.

**Business:**

Commissioner Berry asked what updates there were for the recorders office scanning. Auditor Freeland said that the US Imagining would be on site with a week for estimate on scanning.

Auditor Freeland then presented an ordinance regarding the non-destruction of vault items to be approved. Commissioner, Bryan Berry motioned to accept the ordinance, second by Commissioner, John Fields and motion carried.

Commissioner Berry asked if Attorney Ahler had reviewed the ITI Drug testing agreement, yes, he has and has no issues. Commissioner Berry said that they will continue to seek out another company because the highway is not happy with them and their record keeping. They will not sign or approve it as of today after discussing the termination of contract requirements. Auditor Freeland will add the discussion to be revisited at the November 2023 board meeting.

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Auditor Freeland presented a letter for boards approval and signature to be sent to MVP/Manatron for notice that the conversion to LOW has been completed.

The February 7, 2023, regular scheduled meeting minutes were reviewed and approved with a motion by Commissioner, Mike Freeland, second by Commissioner, John Fields and motion carried.

Pay at once claims were approved as presented. Commissioner, John Fields motioned to approve, second by Commissioner, Mike Freeland and motion carried.

Payroll was approved as presented. It was approved with a motion by Commissioner, Mike Freeland, second by Commissioner, John Fields, motion carried.

The County Home report was reviewed and approved with a motion by Commissioner, Mike Freeland, second by Commissioner, John Fields and motioned carried.

Auditor Freeland said that she has the community investment letter from BP to be signed by Commissioner Berry and it was.

She also presented a Nationwide annual contribution requests but the board asked for it to be tabled until they had a chance to review it move thoroughly.

**Samantha Smith – Surveyor office**

Sam came before the board with requests for a set back from the plan commission, and a rezoning from the BZA.

The variance request for Amsler (grain bin) was reviewed and a favorable recommendation was given with a motion by Commissioner, John Fields, second by Commissioner, Mike Freeland and motion carried.

The variance request for Whitwer (to go from R1 to A1/potential cell tower) was reviewed and a favorable recommendation was given with a motion by Commissioner, John Fields, second by Commissioner, Mike Freeland and motion carried.

Auditor Freeland said that Niccole McGinnis asked if she is to pay the bridge claims submitted for the Oxford golf course. Commissioner Freeland said no because those are private bridges.

Commissioner Berry told Sam to have both parties come in and sign the variances and then she will get them recorded.

The group revisited the discussions regarding the bridges. Sam stated that she just received an invoice from Deno's for the lumber. Commissioner Freeland does not feel they should do it because it will open a can of worms. Commissioner Berry said that when Yates built the bridges and they have received a lifetime membership out of it and donated the bridges so the county has maintained the ditch there. After further discussion they asked Sam to go back through the minutes to see where it was approved. Commissioner Freeland would like the claim to be tabled until they can determine what exactly transpired. Sam asked if she needs to wait on the Deno's claim then. Commissioner Fields asked how much it was for because he does not want Deno's to have to wait for their payment. Sam said that it is a

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little over 1,000. Commissioner, Bryan Berry motioned to pay that one claim for now while Sam reviews the minutes, second by Commissioner, John Fields and motion carried.

**Shawn Gardner, Kelly Dunne and Michael Garter – Americrew (partners of Mainstream)**  
The group provided the group with a brief introduction of themselves and their roles with Americrew.

Americrew is a national model for connectivity. They were approached by AT&T and Verizon but they chose to stick with the smaller more rural based companies.

They have met with Angie for a lunch and had a couple of meetings since and they feel there is a huge need within Benton County and would like to do a community assessment and then meet again to discuss what they can do.

They presented their plan and discussed that they view it more as a community asset not a carrier asset. There is a new technology that is CBRS-private LTE. He thinks that a lot of the issues or most immediate issue is true broadband connectivity for all.

They came before the board today to discuss the 5G wireless connectivity within the county. They would like to work with the local military members from the county and if needed then reach out to the guard. Angie stressed that she feels they should do plenty of advertisement prior to them going out within the community so they can make the public aware. Commissioner Berry asked how they would conduct the survey to see what sites can be utilized. It is all part of their survey and what they will share with the board if approved to move forward.

They would like 60 days to lay out a map, drive some testing and then present their coverage analysis. They would complete an overlay of the county by doing drone fly overs.

The group is very excited to work with the officials of Benton County and to show them what they can offer the community with their connectivity. There are grant dollars available through the digital equity fund and they will continue to work with Angie to secure that funding as they move forward.

After further discussions Commissioner, Mike Freeland motioned for them to get started as soon as possible, second by Commissioner, John Fields and motion carried. The board thanked them for their time and look forward to working together for the members of the community. Angie asked them to provide her with the email announcement that she can share with the public. Gail will also make sure to get something in the paper for awareness as well.

**Dave Fisher – Surveyor**

Dave asked what the problem was regarding the bridges at the golf courses. Commissioner Berry recapped that when the project was done by Yates, he thought that the county was to maintain them but it has not been located in the minutes. Dave said that Sam is looking through minutes now. He continued by saying that they are only replacing the decking. Commissioner Berry asked how much it is all going to cost. Dave said that it is around \$15,000 give or take.

The group continued on and it was decided that since it is just the decking and not the whole bridge it should not cause as many issues. Commissioner Fields asked if it is something that they should change, not since it is just the decking. After further discussion a motion was made by Commissioner, Bryan

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Berry to pay Deno's claim and the claim for \$11,900 as well, second by Commissioner, John Fields and motion carried. *Commissioner, Mike Freeland was not in favor.*

Commissioner Berry then spoke about the Darby ditch and how the landowners want the tile installed. He stated that he feels that it should be Zach's call and he has also spoken with Dave Byers on the matter.

**Business continued**

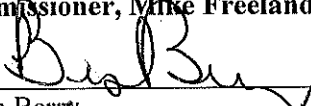
Commissioner Berry talked about the community investment letter needs to be amended to show the total with \$0.77. Commissioner, John Fields motioned to approve the amendment, second by Commissioner, Mike Freeland and motion carried. The total community investment that Benton County is set to receive is \$1,2157,126.77.

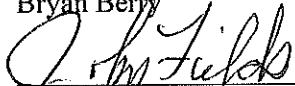
Angie spoke briefly to the group about the presentations she receives regarding a potential project to see if the board wants her to move forward with it. The group then discussed the READI grant and how it does not appear to benefit the county as much as it will Tippecanoe and it is wasting a lot of Angie's time.

There was a brief discussion regarding part time dispatcher, Brian Meyers and his raise. Commissioner Berry stated that his raise should have been the 5% like everyone else.

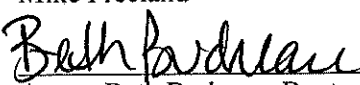
The group wrapped up by discussing that there will be an executive session meeting on March 7<sup>th</sup> with BP to go through the spreadsheet that was shared by Commissioner Berry today and the community investment discussions.

**With no further business the meeting was adjourned at 10:44 a.m. With a motion by Commissioner, Mike Freeland, second by Commissioner, John Fields, motion carried.**

  
Bryan Berry

  
John Fields

  
Mike Freeland

  
Attest: Beth Budreau, Benton County Deputy Auditor