

Benton County Commissioner Meeting January 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: Mike Budreau, Paul Jackson, Gail Lange, Matt Hull, Ron Shoup, Lucas Darling, Jason Fisher, Marci Burton, Dave Fisher and Nancy Pitstick

The first order of business was the organization of offices. Commissioner, Mike Freeland motioned to name Commissioner, Bryan Berry as the President of the board of Commissioners, second by Commissioner, Steve Cox and motion carried. Commissioner, Mike Freeland motioned to name Commissioner, Steve Cox as Vice President, second by Commissioner, Bryan Berry and motion carried.

The board of Commissioners then made the following appointments:

Commissioners Appointments for 2022

Title	Appointee	Motion-Second-Abstained
County Attorney	Jacob Ahler	Steve Cox/Mike Freeland/N/A
Courthouse Custodian	Michelle Ford	Mike Freeland/Steve Cox/N/A
Dept. Homeland Sec/EMA	Director Jason Fisher	Mike Freeland/Steve Cox/N/A
Deputy EMA Director	Jonathan Devers	Steve Cox/Mike Freeland/N/A
District Planning Council Rep	Josh Rutledge	Steve Cox/Mike Freeland/N/A
IT Person/Company	Silverback Consulting Group, Inc	Steve Cox/Mike Freeland/N/A
**N.W. In. Solid Waste Dist. Rep	Steve Cox	Bryan Berry/Mike Freeland/N/A
**K-IRPC – Comm. Representative	Angela “Angie” Taylor	Mike Freeland/Steve Cox/N/A
**Bi-County Drainage Board (2 Comm.)	Commissioners by district	Bryan Berry/Mike Freeland/N/A
Board of Zoning Appeals Attorney	Brooke Scheurich	Steve Cox/Mike Freeland/N/A
Area Plan Commission Atty	Brooke Scheurich	Steve Cox/Mike Freeland/N/A
Community Action Board Rep	Audrey Freeland	Steve Cox/Bryan Berry/Mike Freeland
Economic Developer Director	Angela “Angie” Taylor	Steve Cox/Mike Freeland/N/A
Highway Bookkeeper	Elizabeth “Liz” Babb	Steve Cox/Mike Freeland/N/A
Highway Supervisor	Mike Budreau	Steve Cox/Mike Freeland/N/A
**Plan Commission Rep.	Mike Freeland	Bryan Berry/Steve Cox/N/A
**Plan Commission Rep	Jon Charlesworth	Is automatically on the board
**Plan Comm. Surveyor rep	David Fisher	Is automatically on the board
Plan Commission Members	Allen Buchanan	Bryan Berry/Steve Cox/N/A
Plan Commission Members	Jim Lawinger	Bryan Berry/Steve Cox/N/A
Plan Commission Members	Bob Leburg	Bryan Berry/Steve Cox/N/A
Plan Commission Members	Paul Schutter	Bryan Berry/Steve Cox/N/A
Plan Commission Members	Deb Orr-Lane	Bryan Berry/Steve Cox/N/A
Retirement Village Superintendent	Tonya Robinson	Steve Cox/Mike Freeland/N/A
Veterans Officer	Dennis Goodman	Steve Cox/Mike Freeland/N/A
Wabash Valley Hospital Rep.	Audrey Freeland	Steve Cox/Bryan Berry/Mike Freeland
Recycling Administrator	Michelle Traylor	Steve Cox/Mike Freeland/N/A
Health Commissioner	H.B. Recom. – Kathy Sarault	Steve Cox/Mike Freeland/N/A
Building Comm (Brd apt. Comm Recm.)	Carl “Matt” Hull (Recommended)	Steve Cox/Mike Freeland/N/A
Health Commissioner – Secretary	Kathy Sarault	Mike Freeland/Steve Cox/N/A
Building Commissioner – Secretary	Kathy Sarault	Steve Cox/Mike Freeland/N/A
Fair Board President	Charlie Horwedel	Bryan Berry/Mike Freeland/N/A

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Fair Board Vice President	Dan Klemme	Steve Cox/Mike Freeland/N/A
Fair Board Secretary	John Cox	Steve Cox/Mike Freeland/N/A
Fair Board Treasurer	Kyle Kieffer	Steve Cox/Mike Freeland/N/A
Fair Board Member	Cassie Dalton	Steve Cox/Mike Freeland/N/A

**** Representative is to be a Member of the Board of Commissioners or by statute requirements**
Adopted this amendment at the regular scheduled meeting of the Benton County Board of Commissioners, dated this 5th day of January, 2022.

Mike Budreau – Highway Supervisor

- Drag – bids are good for 30 days
 - *Rahn - \$27,700
 - *Gayer - \$ 48,800 (for 2)

A motion to accept the bid from Gayer was given with a motion by Commissioner, Steve Cox, second by Commissioner, Mike Freeland and motion carried. Commissioner, Bryan Berry stated that they will be paid for out of the Jordan Creek wind farm fund.

- Mike said that he was informed that they are low on funds in the MVH fund. Auditor Freeland stated that she spoke to Liz about this. Although the MVH cash balance is showing negative and has been since the MVH restricted fund was created but the two funds are added together on the annual report and they are fine. Mike said that in his equipment line is less than what he requested. Auditor Freeland said that the funds go back into the cash balance each year and that he has sufficient funds and that if needed an additional could be done.
- Bridge #32 – Nick has gotten this completed

Business:

The December 21st, 2021 regular scheduled meeting minutes were reviewed and approved with a motion by Commissioner, Steve Cox, second by Commissioner, Mike Freeland and motion carried.

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

Commissioner Berry asked about the payment for sheriff pension. Auditor Freeland stated that they pay that out each January for the full budgeted amount and any fees collected. Monthly claims were approved with a motion by Commissioner, Steve Cox, second by Commissioner, Mike Freeland, and motion carried.

Monthly claims were approved with a motion by Commissioner, Steve Cox, second by Commissioner, Mike Freeland, and motion carried.

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

Commissioner Freeland asked about the dairy and if this would be their final payment, yes it will be. Paul Jackson stated that the final invoice for the Dairy has been sent out and he expects to receive payment soon.

Commissioner Berry asked about the Cesare and Level 365 contracts. Auditor Freeland will pull both of the correct contracts and bring them to the next meeting.

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Commissioner Berry asked Attorney Ahler if he had any concerns with the new lease agreement from Quadrient leasing for the postage machine. Auditor Freeland said that there were some savings in the new lease and it has a larger scale. Attorney Ahler did not have any concerns with it. Auditor Freeland said that all of the postage was moved to the Commissioners budget as they requested. Commissioner, Mike Freeland motioned to accept the new agreement, second by Commissioner, Steve Cox and motion carried.

Jason Fisher – DHS / EMA Director

- Billing – Jason said that the billing contract switch is underway but they need to know what verbiage the board would like regarding a hardship policy and/or a payment plan. Commissioner Berry asked who makes the decision and if it was set last time or by a case by case. Jason stated that the county did a case by case last time. Commissioner Freeland said that he is ok with a case by case. Jason asked if they could put in there that as long as they are attempting to pay they will work with them, yes.
- Collections – how does the board want to handle these; do they want them to go to Attorney Ahler or New world. Attorney Ahler feels that most will probably fall under small claims. Fees were discussed and if needed Attorney Ahler will handle these (claims/hearing).
- C. Keener – Jason said that he has not heard anything on this case. Attorney Ahler said that he was informed that he has retained a law firm. They discussed what information Attorney Ahler would need from both Jason and the HR department. Commissioner, Steve Cox motioned to move forward with the case, second by Commissioner, Mike Freeland and motion carried. Attorney Ahler will file the suit and proceed per the board's request.
- Dispatch – Jason has a person that is interested in working part time as dispatch and he will talk to Kylee about doing the contracted service agreement they discussed. Auditor Freeland stated that if they are an employee they will have to be paid through payroll per the IRS audit findings but added that it is something they could consider. After further discussion Auditor Freeland will send Attorney Ahler the IRS audit findings so he has the information also.
- Sirens – prior discussions on annual replacement of sirens Jason has found another potential grant that will cover 40% of the cost. Commissioner, Steve Cox motioned to apply, second by Commissioner, Mike Freeland and motion carried
- Medicaid Reimbursement – Jason was notified that they will receive \$1,135.00 and he would like to ask the board if once the money is received if they would approve him requesting those funds from the Council as an additional so they can utilize those funds for the EOC. Commissioner, Steve Cox motioned to approve, second by Commissioner, Mike Freeland and motion carried
- Runs – For 2021 they ended with 1451 runs which is 152 over where they ended 2020
- Remodel – moving along they are done framing. Waiting on North Mechanical for heat/air and NIPSCO is causing some hold ups. Commissioner Berry asked if Jason if Zach had gotten a hold of him yet, no he has not. Commissioner Cox asked about the ceiling installation
- Ramp – Commissioner Freeland asked if Aaron and Dan had reached out about when they would begin on the new courthouse ramp. They are coming to the next meeting to give an update and to discuss the concrete.

Business continued:

Commissioner, Steve Cox motions to accept the updated RFP insurance consultant agreement, second by Commissioner, Mike Freeland and motion carries.

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Commissioner Freeland said that the insulation at the county home has been delivered but the crawl space and the flooring needs to be sprayed. Commissioner Cox said that the foam is done but did not believe the batts were done.

Matt Hull – Plan Commission

Matt asked if the demolition changes were complete. Attorney Ahler said that yes that has been approved and if no objection is received they can move forward. The current case in court has to remain there. Commissioner Berry asked if there was anything that needed to be changed in the wording. Attorney Ahler said that after he reviewed everything and the statute no wording changes were needed.

Seal bids for bituminous, fuel, hot mix, stone, oil and etc... The highway bids received bids from the following:

Fuel –

- Ceres Solutions
- Newton Oil Company
- Petroleum Traders Corporation

Bituminous Bids

- Bit Mat
- Milestone
- Asphalt Materials

Stone

- Roger Stone

Asphalt (Surface & binder)

- Milestone
- Reith-Riley

All bids were accepted and the final decision was given to the Highway Superintendent with a motion by Commissioner, Steve Cox, second by Commissioner, Mike Freeland, motion passed. A complete breakdown of bids is available in the Benton County Auditor's office and a copy will be sent to the Benton County Highway department.

Business continued:

Commissioner Berry asked if it would be easier for the Surveyor to have their own account for Stone. Auditor Freeland said that it would be easier for all if they did. Commissioner, Steve Cox motioned for the Surveyor to have an account set up with Newton County for stone, second by Commissioner, Mike Freeland and motion carried.

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Nate Bess – Town of Fowler Sewer Department

Nate came before the board today to discuss the bar screen cleaning at the county jail. Commissioner Berry said that they have not received a bid from Matt Johnson yet on installing a grinder. Nate said that the problem with a grinder is that it will not remove any of the plastic and they are happy with the bar screen. Nate then shared pictures of what is being stopped by the bar screen.

Nate said that from what he is being told that the sheriff is willing to pay for the cleaning. Commissioner Berry asked (even though no one here today was involved) why there was never a grinder put in at the beginning. Nate said that he is not sure but that the bar screen is the best option and said that there is an automatic bar screen option. The board asked Nate to get some pricing for an automatic one. Commissioner Freeland said that after talking to Sheriff Munson who said that with the increased inmates that has not helped. Commissioner Freeland said that he informed him that it is not fair for the taxpayers to pay for this and that it should be paid for from the commissary funds. Ron Shoup talked about the system that the Town of Otterbein has a grinder and an auger that bags it and said he will get the information on costs for the board. Nate wrapped up by saying that he feels John and Steve do a great job. The board stated that they do not have a problem with it being cleaned they just do not want the taxpayers to pay for it.

Business continued:

Commissioner Berry then discussed the Capital Improvement plan that needs to be updated this year. He went through his list and will have Auditor Freeland type it up and present it at the next meeting for official approval. A motion to accept the new capital improvement plan was made by Commissioner, Steve Cox, second by Commissioner, Mike Freeland and motion carried.

Commissioner Berry asked Auditor Freeland if she had heard from McAllister, no she has not.

Paul Jackson – Economic Development

Paul asked the board if they were interested or if they would approve to have a feasible study done on the county. Paul had reached out to Reanna and Dave and neither of them provide these services. RQAW does not either. Paul sent some information to the board and they will charge \$12,500 for the study for a county wide study and all the information would belong to the county wants completed. Commissioner Cox says that he feels it should be done. Commissioner Berry agrees but wants to know if they can add items for the study if they are not listed, Paul will find out. It would require ½ down. Commissioner, Steve Cox motions to hire it done, second by Commissioner, Mike Freeland and motion carried. It will be paid for out the capital improvement plan.

Commissioner Cox said that Lafayette Agro sales will add on and the county will help provide stone and allow them to purchase stone at the county rate. The board was in agreement.

Ron Shoup – Town of Otterbein

Ron came before the board today to introduce the Town's new Administrator, Lucas Darling. He is currently acting as Ron's assistant while he gets trained to eventually replace Ron. Lucas will be overseeing zoning, planning and ordinance.

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Commissioner Cox asked how the road project in Otterbein was going. Ron stated that Rowe has completed it and it is more of a private drive at this time. Ron wanted to let the board know that the stone the county provided towards this project was not used and the Town still has it. Commissioner Cox said to use it for their alleys. Ron appreciated that and said that they could either use it their or if the new housing project goes through they might use it there.

Ron went back to the road project and said that the town will not be maintaining the new road at this time. If Rowe does release control to the Town, they will also black top the road.

Matt Hull asked Ron if the property owned by Jon Johnson was fixed. Ron is not sure.

Commissioner Berry asked if the library remodel project and the issues there were resolved, Ron is not sure.

Attorney Ahler said that the litigation is still pending for the racetrack at this time.

The board of commissioners then closed their meeting to hold the organization of office for the Drainage Board at 9:53 am. The Commissioners reopened their public meeting at 10:22 am

Auditor Freeland asked for clarification on the Mount Carmel approval. The board discussed the cement stabilization at Mount Carmel and Commissioner Berry said that he feels that they should move forward. Attorney Ahler has reviewed the contract and had no issues with the board moving forward. The approval was given with a motion by Commissioner, Steve Cox, second by Commissioner, Mike Freeland and motion carried.

The group discussed the ARPA grant plan and the needs for a revision. Auditor Freeland said that if the interim final rule is not cited in the plan some counties have received penalties. Attorney Ahler stated that he would be help in getting that revised.

Auditor Freeland presented an agreement for the sheriff with Davis Comfort solutions. The board discussed that they are not on the who to contact list and asked Auditor Freeland to reprint the list again and share with all departments because they are listed as approved.

Auditor Freeland then spoke about a situation on an employee and the health insurance. She stated that Don Careless is involved and was going to look into since EPIC was not in the know. Commissioner Berry asked if Don was able to determine where/who dropped the ball, not yet but he felt that it was between Amps/Asserta. Auditor Freeland reviewed the bill and the amounts paid per the "cash agreement" and how the facility is now going after the employee directly for the remainder. Auditor Freeland said that she would like the board to consider moving to the company Don spoke about that is within EPIC to avoid situation like this. Commissioner Freeland asked if we needed to have Attorney Ahler to handle. Auditor Freeland said that could be a possibility once they determine what all has transpired. Commissioner Berry spoke about the self-insurance and how the plan is supposed to work. He went on to state that the employee will not be responsible for this bill if fault is found.

Auditor Freeland reiterated that phone bill reimbursements per the IRS audit need to be paid to the phone company directly. She would like it to be documented in the minutes that the board will not approve any further reimbursements as of January 2022. Commissioner, Steve Cox motioned that no further phone

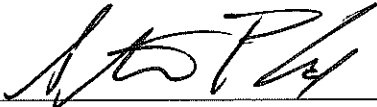
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bill reimbursements will be paid directly to the employee and must be paid directly to the plan carrier or they will be denied, second by Commissioner, Bryan Berry and motion carried.

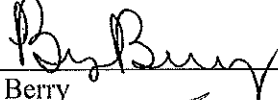
Auditor Freeland presented letters to all the applicants who interviewed for the Economic Development Director position but were not selected for the position.

Commissioner Cox said that he asked Auditor Freeland to move forward with getting business cards made up for the new hire. Auditor Freeland said that she has asked Paul to do this. Paul Jackson stated that he is working on getting new business cards made up for Angie Taylor who was selected as the new Economic Developer Director but is waiting on the cell phone situation to be resolved.

With no further business the meeting was adjourned at 10:43 a.m. With a motion by Commissioner, Steve Cox, second by Commissioner, Mike Freeland, motion carried



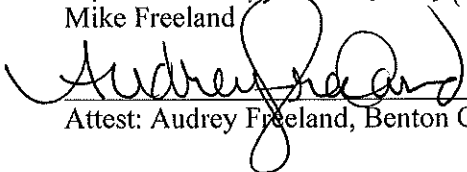
Steve Cox



Bryan Berry



Mike Freeland



Attest: Audrey Freeland, Benton County Auditor