

## Benton County Commissioner Meeting December 17th, 2024

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, Shawn Leuck, County Attorney, Jacob Ahler and Auditor, Audrey Freeland.

**Others in attendance were:** Phil McGinnis, John Gick, Latisha Provo, Amy Wilkinson, Colin Sullivan, Matt Rosenbarger, Evan Puetz, Brock Sutter, Marci Burton, Sara Niccum, John Cox, Bill Brost, Kelly Balensiefer, Derrek Fuehrer, Mike Dwenger, Rod Green and Jim Hardebeck

### **Evan Puetz – Assistant Highway Superintendent**

- Brush – 400 S (CCMG road) was ground up and some stone laid out and will lay down some more stone later. They have one more mile on 500 E, they are using 73's.
- Graters – out today fixing some holes
- Roads – 800 S to State line was discussed about grinding it up and leaving it as stone. No one lives on the road, and it is only about 1/3 mile long
- Dump truck – will be in Frankfort this week and Rowe's next week
- Roads – 1100 E (600/700) was ground up 8 years ago and there is another big dip. Evan has gotten a locate so they can see what can be done, it might be a tile
- Roller – Commissioner Berry asked him if brought the bids today, he did not
- Truck – the board told him to start getting quotes
- Wind Farm – Commissioner Berry said that BP did not complete their decommissioning study that was due in August, so he would like to deny them in to repair roads until the fines are paid per the ordinance. Attorney Ahler advised that he will notify them via letter if the board approves. Commissioner Freeland agreed and said that a letter should be sent before the end of the year, and if the documents are not received, then the daily fine will be imposed. The board stated that it was due in August 2024 and advised Evan to deny any permits until further notice. This was approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, Shawn Leuck and motion carried. This is for BP Wind – Fowler Ridge I, II and III.

### **Business:**

Minutes were presented and approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, Shawn Leuck and carried motion.

Pay at once Claims reviewed and approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, Shawn Leuck and motion carried

Payroll were presented and then approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, Shawn Leuck and motion carried.

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The non reverting fund for Templeton Wind Fund was approved with a motion by Commissioner, Bryan Berry, seconded by Commissioner, Mike Freeland and motion carried

Commissioner Berry asked what changes were made. Auditor Freeland said no changes except for the Commissioners names being updated. The fixed (capital) asset policy ordinance was signed and approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner Bryan Berry and motion carried.

Auditor Freeland asked for a special exception to pay to record the documents. The special exception was approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, Shawn Leuck and motion carried.

**Jason Fisher – EMA / DHS Director**

Jason asked for a special exception to pay out two claims. The request was approved with a motion by Commissioner, Mike Freeland seconded by Commissioner, Shawn Leuck and motion carried.

The new ambulance is still in progress, and they are saying maybe by May or June of 2025.

Commissioner Berry asked about some concerns regarding the Beacon contract. Commissioner Elect, Phil McGinnis has some concerns about using ESRI. Jason stated that they will not have to use them. Phil said that within the contract if it is discontinued to be used, then the cost goes up \$7,200. Commissioner Berry said in the contract that it also allow them to utilize three more options. The group then discussed whether or not they would still use the WTHGIS. Auditor Elect, Beth Budreau said that the new tax software also allows you to look online at the taxes and other parcel information.

**Business continued:**

The 2025 contract for Attorney, Jacob A Ahler to be the county attorney was signed and approved with a motion by Commissioner, Bryan Berry, seconded by Commissioner, Mike Freeland and carried motion.

Commissioner Berry said that Evan presented the bids for the stone for the dairies and that it should have been the economic development price. Latisha stated that they looked at previous invoices and the amount was the same. Auditor Freeland then presented the 3 invoices on behalf of the county for the RUA violations, they were signed and will be mailed out.

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### **John Cox – Sheriff**

- Staff – he is down three in the jail so he will be posting those openings.
- Old jail – he has had three contractors go through the building so they could provide an estimate on demolition. US Landmarks are coming through tomorrow. The key that was given out to a public member years ago was returned.
- Vehicles – the 2021 with the blown motor was looked at by the highway mechanic and will be able to do the repairs. The costs of this repair will come out of the 2025 sheriff budget. The 2019 with the cage will be kept as a pool vehicle so it can be utilized as a transport vehicle as well. Commissioner, Mike Freeland motioned to move forward with the repairs, seconded by Commissioner, Shawn Leuck and motion carried.
- Jail inspection – this is set for January 16<sup>th</sup>, 2025. John recapped the work that has been done so far on the repairs of the building. Once they get through the next portion he will work with Todd Smart about the roof repairs. Commissioner Leuck has a few ideas and will get with Sheriff Cox.
- Junk ordinance – they are working on a situation in Templeton to get it cleaned up. He will work with Attorney Ahler.
- Fairgrounds building – Commissioner Freeland asked if he has heard anything about the gas, no he has not. The buildings itself is coming along. Commissioner Leuck asked if a decision has been made regarding the bathrooms. Sheriff Cox said he has spoken with DHS Director Fisher on what will be certified and satisfy the grant requirements. Commissioner Freeland asked Commissioner Leuck to reach out to Brian James about trenching. Commissioner Berry asked how much funding was going to be needed, Sheriff Cox was unsure. Auditor Freeland stated that the Auditor's office has a running total on the approved amount. As the Sheriff receives donations, they will write a check from that fund to repay those wind funds. Commissioner Freeland asked if he had anything to show what the bricks and other items look like. Sheriff Cox replied that two sample bricks are being made. Commissioner Leuck asked if the gas line has been marked, no sure if it is marked but it goes to the small block building. The group talked about the status of the building and what is going to be done next to get the building secure and wrapped up.

### **Kelly Balensiefer – Assessor**

Kelly joined to discuss the Beacon contract. Commissioner Berry asked her to recap what the three additional options would include. Kelly replied that it will basically allow three options for the taxpayer to complete the appeal process. Commissioner Freeland asked if this was to limit the public coming into the office. She feels the online option will be easier for the taxpayer. They will be able to file an appeal, they will be able to see their comparisons online and print their property cards. Commissioner Berry asked if her office uses WTH GIS, no they do not. Kelly had sent the contract to Attorney Ahler to review and he did not have any issues with the board approving it. Commissioner Elect, Phil McGinnis asked during the discussions he was involved and was wondering which ones were being used and how it was all structured. He continued by saying that within the contract it lists that if Beacon is not utilized the large discount would be lost. Kelly said that WTH/GIS is better for 911 department, but that Beacon is more user friendly for the taxpayer. The additional options to the contract was approved with

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a motion by Commissioner, Mike Freeland, seconded by Commissioner, Shawn Leuck and motion carried.

**Business continued:**

Auditor Freeland presented the option to purchase agreement for the Oxford school project. It was previously approved and just needs to be signed so she can send everything to Emily with KIRPC. Commissioner Freeland asked if the taxes were paid. Latisha provided an update on the project and status. Auditor Freeland said that it is an option to purchase agreement not the actual transfer of property. Commissioner, Bryan Berry motioned to sign the agreement, seconded by Commissioner, Shawn Leuck and motion carried.

The amended 2025 payroll and holiday schedule was presented to adjust the payroll dates that conflicted with a holiday and the banks being open. This was approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, Shawn Leuck and motion carried.

The 2025 Commissioner appointment list will be sent out to the current and in coming board so they have time to review and amend as needed prior to the 1<sup>st</sup> meeting in 2025.

The Purdue CES contract was tabled

The appointment request for the Otterbein Library was table

Auditor Freeland provided an update on the property being gifted to the Town of Earl Park. Both parties have signed their resolutions. The next step is for the county to have a title search done and Attorney Ahler to do the noticing as state in statute, once that is completed then a petition and order will be filed with the courts. After the judge signs the order the petition and the order will be sent to SRI, Inc so a commissioner's deed can be prepared and recorded. Once it is recorded the property transfer will be complete.

Auditor Freeland shared the KIRPC board appointment request and Commissioner Berry stated that in the past they have appointed the Economic Development Director.

Auditor Freeland then asked about the Area Plan Commission Board Zoning of appeals that was discussed and Sam asked if she could get a motion of approval from the board. This was approved for Next ERA for the Templeton Wind Project with a motion by Commissioner, Bryan Berry, seconded by Commissioner, Shawn Leuck and motion carried.

The amended 2025 Commissioners and Holiday schedule was presented with the only change of moving the first Commissioners meeting to the first Friday of December (due to their conference). This was approved with a motion by Commissioner, Shawn Leuck, seconded by Commissioner, Mike Freeland and motion carried.

Attorney Ahler provided an update on a few items he has been working on. One being the decommissioning plan and the group had a brief discussion on a portion of the document. They

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agreed that there needs to be some language added to the decommissioning ordinance about keeping the state out if they can. There is some legislation that would give the state the decommissioning rights, however Berry said that the county ordinance should state that they will maintain their bonds so they can keep it local. Attorney Ahler was asked to make those amendments.

Latisha updated the board on the Oxford project, all of the hazardous and asbestos materials will be done by the end of December.

Commissioner Leuck asked about the Benton / Warren water project and what all that entailed in Oxford. Latisha replied that it is part of a grant to get updated water lines and there will be a few phases throughout the process. She said that it is all in the early stages and are dependent on each phase. Basically, Pine Village would purchase their water from Oxford. The total project is estimated to be around 25 million, Latisha is helping them with grant writing.

### **Bill Brost – Taxpayer**

Bill asked the county if they would be willing to take over the subdivision and that if they would he would turn over the roads. He said over the years there have been things done without help from the county. Commissioner Berry said that with it being so close to the end of the year he will need to come back in front of the new board.

### **Evan Puetz – Assistant Highway Superintendent**

Evan returned with some bids for a new roller. The bids were done by reaching out with specifications and only receiving one that would match

- Sourcewell - \$177,129.38

After some discussion on the specs that were provided to multiple companies but unable to be matched by all bidders, the bid was awarded to Sourcewell. This was approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, Shawn Leuck and motion carried. This will be paid for out of fund 4916.

Evan then presented a quote for a new pick-up truck and with the time it takes to get a vehicle he thought he would bring it before the board now. After further discussion the topic was tabled until Evan can find out if the quote will still be honored or if they need to get a new one. Commissioner Leuck asked Evan how old his current pickups were. Evan stated that they have a 2002, 2001 (extended cab) and there is a 2009 crew cab. Mike's truck is 2021 and Evan's is a 2020.

### **Business continued:**

The advertised bids to demolish the old jail were opened and awarded as follows.

Rod Green - \$198,990.00

Dwenger Excavating - \$108,000.00

Crowe Earth works - \$130,000.00

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The board asked those representatives present how long their bid would be valid to which all replies were that they would be honored until summertime. The bid was then awarded pending US Landmarks being able to present their findings in the new year to Dwengers Excavating with a motion by Commissioner, Bryan Berry, seconded by Commissioner, Shawn Leuck and motion carried. Please let the record show that Commissioner, Mike Freeland abstained from voting.

Sara Niccum asked for clarification on the accepting of the bids. Commissioner Berry stated that they accepted and awarded the bid, but they will not move forward with demolition until after US Landmarks comes back before the board.

**With no further business the meeting was adjourned at 9:22 a.m. With a motion by Commissioner, Mike Freeland, second by Commissioner, Shawn Leuck, motion carried.**

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Shawn Leuck

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Phil McGinnis

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John Gick

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Attest: Beth Budreau, Benton County Auditor