

Benton County Commissioner Meeting April 4th, 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, Mike Freeland, John Fields, County Attorney, Jacob Ahler and County Auditor, Audrey Freeland.

Others in attendance were: Mike Budreau, Angie Taylor, Walt Wilson, Colin Sullivan, Kevin Waibel, Andi Waibel, Gail Lange, Matt Hull, Lucas Darling, Jason Fisher, Jonathan Devers, Dave Fisher, Grant Britzke, Dan Andrews, Jennifer Greenberg, Zach Stephens and Carole Hoff

Mike Budreau – Highway Supervisor

- Roads – working on clean up from storms
- Oil – they will be getting oil soon so they can start patching (probably in May)
- CCMG – money has been received so they will start with gravel roads and then lay oil around May
- New hire – they have selected someone, but they are waiting for the background check to come back

Colin with BF&S joined the conversation to discuss the new bridge. He said that Brian reviewed the plans for the metal bridge, and it shows a concrete deck not a metal deck, so he needs to see the plans if possible. He wants to make sure that the footers are going to match with it and what kind of soil is out there. Brian feels that the backfill might be a little light so the soil would let him know for sure. The county is not sure. Colin said in the notes it was listed with the 96 highway standards which are not the most current for INDOT standards. Commissioner Berry said that they would definitely reach out to them because he knows they discussed it. Commissioner Freeland asked what the current ones are; they are DLHL 93. Colin said that core samples are recommended but it is up to the county. To get on the list for some Colin wants the board to be aware they are a few weeks out. The board wants to get the core samples done so they know everything will be done right.

Commissioner Berry asked when Nate will start with the county inspections. He will start in May and inspect all of the ones that are due to be inspected so the county stays within compliance.

Commissioner Fields asked if they were going to look at the metal plans, yes they will. Fields added that they (the board) were under the impression it would be the same as the one on 400. Colin said he took some pictures and if the county does the core samples that Brian will come out and take a look as well.

Jason Fisher – EMS/EMA and Dept of Homeland Security Director

Commissioner Berry wanted to thank Jonathan for all his efforts and leadership during the recent storm. The board agreed that he did a great job.

- Preliminary report of the storm damage was reviewed. IDHS was on site
 - 8 residential structures
 - Agricultural, barns and pole barns
 - 60-man hours were logged
 - Drone footage was obtained that showed where there it touched down

Commissioner Berry asked what the chances of the county had to be declared as a disaster. Jason said that as of last night 3 counties have declared but he has not heard back yet. He has sent off the board's declaration, he will follow up with the board about he has his state call today. Most of the affected residents did have insurance and they will be able to apply for an SBA loan with a very low interest rate in order to rebuild their homes. FEMA changed it about 4 years ago.

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Commissioner Berry asked Jonathan if there was anything that he saw during everything that the county was lacking. Jonathan replied, for what they dealt with they were well equipped but getting the manpower. He said that we were very lucky with the path that it chose. He said that radio traffic was difficult at times and there was some lag time in Code Red alerts, and they are working on solve on this to see how that can be improved. E-Dispatch also had some issues with communication. Jason said that they will go back out after they talk with the state, and he will check with the Assessors office who has also been out doing their own assessments for tax purposes.

Jason discussed lightning protection for the towers. It will be \$5,700 for the dispatch tower. The board has already discussed and approved the large tower near the jail.

Jason also stated that the ADA consultant has offered to do a parking lot diagram for the county, so it fits within the compliance standard, yes, they are ok with that.

Jason asked about forfeiting something around the tower. He was thinking of a fence of some sorts around the base of the tower as well as the air conditioning units.

Jason said that Jonathan was able to assist White County with some drone flying after the storms also. He offered to show it to the board if they were interested in it.

Jason asked County Attorney Ahler if they do anything after the declaration is over if they need to have a waiver or something in place if they need to do any fly overs, yes, they do. Attorney Ahler will review the code to be sure and send Jason a draft of something he can/should use.

Jason talked more about the tower and how he will ask again if they can use the lift to install if it would take the cost down any. Commissioner Freeland did not feel that it was going to get any cheaper. Commissioner Fields said that with all of dispatch down there it was necessary. Commissioner, Mike Freeland motioned to approve the cost, seconded by Commissioner, John Fields and motion carried.

Commissioner Fields said that during the storms in the southwestern end of the county that Jonathan had a difficult time getting out and he could not hear him very well. Jonathan said that when he switched channels it got worse, but it could have been listening in or just overloaded. Jason said that maybe adding an extra EMA select talk channel and take away some of the radio traffic. Jason said that adding talk groups will hopefully help. Commissioner Berry said that it sounds like it was analog. Jason said he will investigate it but knows that sometimes it is headsets. Commissioner Fields said he has a new number for Warren County REMC. He has given it to dispatch but will make sure that both Jason and Jonathan have it.

Jonathan also wanted to praise Boswell, Ambia, Oxford, Fowler and Otterbein Fire with their willingness to assist with ice or other needs from residents.

Jason informed the board that the EMS department received a donation. They received a great job donation from BP in the amount of \$10,000.

Jennifer Greenberg – Clerk

Jennifer came before the board to get the second polling location (Fischbach Farms) for the special election that will be held regarding the referendum for Tri-County.

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Commissioner Berry said that there is some confusion in the Town of Earl Park about where to get the paperwork. They must get it from the Clerks office and returns it all to the Clerks office. Commissioner Berry then asked if Precinct members Judy Bellar and Janice Holihan would be counting the votes. Jennifer said that those two will appoint two people to count the ballots. They will be hand ballots. Commissioner Berry asked if it was for all parties; Republican, Democratic and Independents. Jennifer replied that yes, it is open to all parties. There have been a few packets picked up, but none have been returned. The vote will be in August. For the Town of Earl Park there are: Clerk Treasurer and Board members. Jennifer added that this will be the last special election as they will then fall on the regular voting cycle.

Commissioner, Mike Freeland motioned to approve the additional location of Fischbach Farms for the Tri-County vote, seconded by Commissioner, John Fields and motion carried.

Jennifer also stated that with the election board made a resolution and there will only be two Saturdays where they will be open for absentee voting; April 22nd and April 29th. She will need a key card for Janice Holihan.

Kevin and Andi Waibel – taxpayers

Kevin came today to discuss the roads and his unhappiness with the condition of them. He said that he saw in the paper and saw the Meadow Lake/Gilboa Recon with a balance of 636,000.00 in there. There were \$426,000 funds withdrawn and he wanted to know what the money was used for. He continued by saying that after their previous meetings it was stated by John Wright that those funds were to be spent in Gilboa townships. Commissioner Berry said that some of those funds were also from repairs, other than the road use agreement. He asked Kevin if he remembered going over them with Mike, yes, he did. Commissioner Berry then said that within the resolution it stated that they had to keep \$100,000 in there but after 3 or 4 years the county could use those funds as they deemed necessary. Kevin said that there is a lot of money there and he wants the roads fixed. Some of the funds were used to purchase a lift.

Kevin then talked about his situation with some corn on the ground and he spoke with David Jessie about it and in lieu of getting on the insurance he asked for the road. He said with that extra money it would have been nice to get some chip and sealed roads out of there. There are 13 miles of stabilized roads out there and there were plenty of funds. He said that if nothing else there should be at least a mile done. There are 3 miles that were not asphalted that were marked asphalt. Commissioner Berry said “they” being EDP not the county marked them as that. That is correct, that is how it was bid replied Kevin. Kevin asked if the board could see why he was upset. Commissioner Berry said that he is not sure what the breakdown was as far as repairs. There might have been a couple hundred thousand that were in there and then there were funds in there for shoulders, and then there was dirt that had stone in it that was used on the shoulders, but again he does not remember the exact breakdown.

Kevin said that there are 13 miles of gravel and there is \$30,000 a mile for gravel which in his opinion was never hauled. There are 13 miles of dust oil at \$15.65 that he does not know what that is, so he put it as a mile. Then 12 miles of asphalt at \$189,000 and then 12 miles of chip and seal/shoulder work at \$17,500.00. Kevin comes up with \$2,869,000.00 but the billion was \$3,450,000 and without asphaltting those 3-4 miles that is where the money is still there. He continued saying that they were the ones that took the heat and damage and everything for all that time so that is why they deserved it. Commissioner Berry said that they slated that, and the county gave them a dollar amount and they (EDP) broke that down and put it into the road use agreement. Kevin asked why the county didn't do it that way. Commissioner Berry said again, we gave them a dollar figure and from there they broke it down into gravel and chip and seals and paved roads. Commissioner Freeland said that he feels that the cost was

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\$250,000 for every mile of black top. Kevin said that could be but the main traveled roads he never argued about. The county on 900 chip and sealed half the road for about a mile then stopped and put down black top due and said it was due to the borings. Kevin said that the boring doesn't matter in his eye because the drawings show it was bid as it was shown so he doesn't feel it was fair. He said that does not bother him as bad but it would have been nice to spend a little bit more of that money and go further south. Kevin said you would not believe the traffic on 1100, and all of the agricultural products that come from 400 north at the "T" goes north. They get a large amount of traffic, and he is not sure why maybe for a straight shot to the interstate but that is why he is upset. He said that if he feels that things were not handled right and maybe he should have had the insurance pay for all of his damaged corn. He was corn was damaged when they widened the road, it was more than a ½ mile long and the county waited on everyone to cut the extra two foot so they could get their 18 foot road. So when they went down 800 Kevin did not realize it for a while but that corn was pretty dry (it was late in the year) but it threw it about 16-18 rows out and knocked off ears from the seed corn. Kevin had Mike Budreau come out (he was working for Jessie at the time) to look at it. Then Kevin talked with David Jessie and said that they needed to come do some road work here and as long as you doll me up good. Kevin also thought that they would put down some dust kill out a little further. Commissioner Berry said that he thought they ran it past your place, no it was up to the property line and then over by Watson and county line road at the jog. They continued to discuss the location from Waibel's residence.

Commissioner Freeland said that the problem with the whole project was with EDP and when they went on a road they would only go down 1/10 or 1/8 of a mile with the cement stabilizing and he never felt that was wrong and he felt that they should have went a full mile. Kevin said that there are no roads out there that are cement stabilized halfway. Commissioner Berry said that there is by Hageman's old building was the county paid for that (less than ¼ mile). Berry said that the county paid for that to be stabilized. Andi said even if it the dust kill had gone to 500 N on their road and all the way to the substation, they constantly have wind mill trucks flying around their house every day. Kevin said that he talked with David Jessie at the county club and he gave him the paper he brought today and it is marked by the sub station early on. Commissioner Berry said that EDP said that they were going to chip and seal that. Kevin said that Jessie said pave it and it was nice because they (the highway) might just do the next mile and he was confident they were in good shape. EDP backed down on that piece going near the substation stated Commissioner Berry. Kevin asked what changed on 1000 where they chip and sealed part of it then came back and black topped it, because no one has ever answered that. Kevin said then there was some money wasted on 900 because it was chip and sealed which didn't hold and then you came back and black topped it. So that is why he is here today since he saw that money was sitting there. Commissioner Berry said that he cannot answer to all of it right now but he knows that \$217,000 went to the lift, the roof and once the windows are installed they plan on selling the lift, and any funds received from the sale by law has to be placed back into that fund. Commissioner Berry said that they have to go by what is written in the ordinance but after so many years the funds are available for county use as deemed necessary. Kevin wants them to take care of them out there who have weathered the storm so to speak, because without people being a part of the wind project it would not have happened. Andi said that what was promised multiple times was not done. Kevin said that he is representing more than just himself and that more people are upset about it. Andi said that they would also like to have the approach on 700 N to Remington black top fixed. Kevin said that when Milestone put that in it was done very high. Andi said they would just like to see more of the stabilized roads and the dust killed put down. She feels that the money is there and that the county was paid quite well for that project and that is why they were so excited about good new roads. Kevin talked about when Tom Collins came out there and bermed those roads off and how they bought a mile of dust kill twice. Now fast forward to the current project and that road was over 20 years old but in good shape when it was taken out. Kevin thought that since it was so old the county started taking care of it.

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Kevin and Andi wrapped up their discussion talking about how they are no longer looking for an asphalt road like he was, and that it would be in the county's best interest obviously with the excessive money and put it into chip and seal and that the roads would hold it. He said that our roads are still in better shape than the last ones done in White County.

Commissioner Berry said that they can look at it, but the county has always said that they will not chip and seal a road that only has one house on it (if it was not already that). If you do that and funding runs out, you still have to maintain it and that falls to the taxpayers to cover those costs. Commissioner Berry said that the RUA states that the roads will be put back as good/better than they were. Andi said that they know of one road that is still good and stabilized and there is more than one house on it and the county needs to chip and seal it to keep it that way. Andi said they are just looking for a little more.

Kevin asked if the county did the road by Commissioner Berry's place, yes, the county did. Kevin asked if someone paid for that, no there are 3 houses on the road, and it was chip and seal. Commissioner Berry said that one time it was always chip and seal and it was tore it out and Berry said that he wanted them to put it back and they did. Kevin said that there was rumor that there was an outside contract where Berry, Budreau and Muller paid for it. No that is not the case. Commissioner Berry said again they will look at them, but they are not making any promises.

Zach Stephens & Angie Taylor – Mainstream and Economic Developer

Zach wanted to come in today to give the board a few updates on projects and talk about the NLC3 and the fiber project with Americrew.

As of right now Mainstream has 613 active customers in Benton County with 47 more in the installation que, which are all made up of businesses and residential. They have the \$5 installation fee as part of the original recovery fee applied which is to be returned to the county.

For the NLC3 project it is centered around the Swanton area, there are 13 locations per state requirements and a total of around 37. The NLC3 project funding the state was able to get a grant from the Treasury department so it is at a federal level of compliance levels. They are working on getting their permits and reviewing the environmental portion now. Once approval is given they will get their certification letter/award letter from SAM. They are looking at having certifications done by June and then breaking ground in January. For this project 50% will be buried and 50% will be aerial. Commissioner Berry asked if it was going to go along the road, yes, they will.

Zach said the along the road is where they will be installing those poles, and then if they have to utilize any of the abandoned alleyways, they will have to get with John Budreau for the Town of Fowler project.

Commissioner Freeland asked what the acronym NLC3 stood for. It is Next Level Connections.

Zach then moved onto the Americrew project discussions. They are using an address mapping software that will also let them know how many structures in an area are serviceable. They have provided Americrew a list of everyone who has access to fiber right now and who does not have access to fiber so they can plan for their tower placement locations. Zach meets with Americrew weekly.

Commissioner Freeland asked if there were any more locations in Benton County that are going to have fiber ran directly to them. That will be in the next proposal. There are going to be areas where they will have infrastructure running through, but the service will be split so they will be expanding where they have on net locations which is done with a 500 ft buffer zone. Commissioner Berry asked how soon they

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will get Fowler done and then out at Will Ridge Heights. Zack said that the two areas they had discussed previously were the West Side of Fowler then down the Aduway to 352 then down the highway into Templeton. Zach said that they want to be able to build out to the Otterbein market. Commissioner Freeland asked if they went down the adeway to 100 South where there are three homes and a business, and he knows they are interested in the services. Zach said that once they get the infrastructure in place they will be able to provide custom installation costs. Zach continued to talk about different projections from the state and county needs.

Commissioner Berry talked about the tower analysis and asked if by doing that there might be some overlap, which they feel that is better than having those drop areas. They are looking to install about 4-5 new towers. Commissioner Berry asked if during their analysis on the towers if any were eliminated, no there were none. The new towers would be placed somewhere in Pine, Boswell, Ambia, Gilboa and one on a convergence tower in Earl Park. Zach said that they will follow the original agreement and the county will let them know where. All of the roads will be placed on a map and sent to the board. Commissioner Berry asked for the files to be sent digitally.

Commissioner Fields asked about the lines out by State Road 71 near the dairy areas and if 300 S (going east and west) if that will be an area, he has had a lot of requests. He asked if there needs to be a line and will it be direct wired or wireless. Zach said once Americrew gets their towers up then they will know what radius' will be covered. He said if there are other areas that need coverage as stated they will have to run fiber out there. It is like a water line, there is a main and then other lines that feed off that line.

Commissioner Fields said that his concern is the poles and that they are not placed well. He told Zach that it is bad craftsmanship. He feels that the poles need to be longer and placed deeper, at least 5 ft deep. Zach said that they have adjusted their attachments and the contact is much better. Commissioner Fields said that in the beginning there was an issue with getting in contact with someone to get things fixed. Commissioner Berry said that the new contact Pat is much better with that. Zach will make sure that when he sends the files he will include Pat Barkes, the Regional Forman contact information.

Commissioner Berry asked if Zach knew how soon they were going to get to the west side of Fowler. Zach responded that as soon as they know what the project commitment looks like. Commissioner Berry asked if they could have a final proposal ready by the next meeting in two weeks, yes they can do that. They reviewed the map of the area they wanted to include. Zach thanked them for their time.

Grant Britzke – Child Care Resource Network Representative

Grant gave a brief introduction about himself and presented the board with some handouts. Grant is a Community Engagement Specialist for the company, and they serve 27 counites. They are a regional state contractor, and their goal is to increase access to childcare for mainly 0-5 years old but also that school age children can find care.

He works with employers to explain why childcare is so important. He also works with early childhood coalitions. They want to be a community outreach and through that they got involved with the READI grant projects. He provided a brief overview of the READI project, where he is working with 5 out of 6 counties in the region. They are looking to build 430 new childcare locations with state licensing. For Benton County specifically they are looking to fund 40 new spots or provide additional funding for additional capacity projects.

Benton County is in dire straights when it comes to childcare. A couple years ago Early Learning Indiana came up with a scoring system or index to show counites where they rank out of 100. Benton County is

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at 52.8. He showed that Benton County does rank high on the quality level and that affects early access. They discussed the ratio of availability childcare and Benton County only scored 11%. There are only two early childhood programs; one is Headstart and one licensed childcare provider that provides 6am to 6pm care. The overall score of 52.8% is drawn up from the high-quality ranking but affordability and availability are the areas that need to be addressed.

There are about 700 children in the 0-5 years of age in Benton County and there are approximately 434 children that are in need of child care. Two programs are serving about 56 children.

After further discussion, Commissioner Berry stated that the MOU (memo of understanding) needs to be updated to reflect the board's names. Grant asked the board if he had their permission to move forward with his quest. Commissioner Berry asked where they were at currently with the church and moving Mrs. Parker to discuss what her goals were and what additional steps she will need to take. One thing that will be offered if everything continues to move forward and she will be able to accept childhood vouchers and obtain licenses.

Commissioner Berry asked where the county stands now with the program and what is needed to move forward. Grant stated that they have a signed contract with GLC and they are working on getting the 5 counties to sign their MOU's. Angie added that there need to be monetary adjustments on some of the documents and names updated before it can be signed.

Gail Lange said that she has done articles about childcare and asked what the targeted age group is. Grant explained that this particular funding is to expand the capacity of childcare and to accept childcare vouchers so potentially up to age 12. They want to focus primarily on 0-5 with the early childhood care. Gail listed a few locations that she knows of and asked how the information will be shared so they can see if they would be able to apply. Grant said when they get things finalized, he will be sure to share all of that information. County Attorney Ahler reviewed the document and has no issues but does want the amounts listed.

Commissioner, Mike Freeland motioned to approve under advisement and pending adjustments on moving forward with the READI grant for childcare, seconded by Commissioner, John Fields and motion carried.

Business:

The March 21st, 2023, regular scheduled meeting minutes were reviewed and approved with a motion by Commissioner, John Fields was made, second by Commissioner, Mike Freeland and motion carried.

The special meeting minutes with BP representatives were reviewed and approved with a motion by Commissioner, John Fields, seconded by Commissioner, Mike Freeland and motion carried

Commissioner, Mike Freeland motioned to approve the monthly claims except for the claim to Deno's for the bridges at Oak Grove, he does not feel that any more money should be spent. Commissioner, Bryan Berry asked if the claim to LOW for the doculivery was an ongoing monthly claim. Auditor Freeland will have to review it. Commissioner Berry then asked if the claim for Westcott was for the new sign in Golf Heights, no it was for magnetic signs per Angie Taylor. After more discussion about this being the last payment they will make towards the Oak Grove bridges the monthly claims were then approved with a motion by Commissioner, Bryan Berry, seconded by Commissioner, John Fields with the understanding this is the last payment towards the Oak Grove bridges, and motion carried. Let the record show that Commissioner, Mike Freeland voted no to 3 claims.

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

Auditor Freeland presented the annual tax sale addendum for SRI, INC. She said that Attorney Ahler had reviewed the document and did not have any issues with it being signed.

Auditor Freeland shared the Benton County Co-Op newsletter.

Auditor Freeland then asked for approval for a pay at once claim on behalf of Sheriff Cox. He received an invoice that was not received during the email outage, and it is for \$2,000.00. The request was approved with a motion by Commissioner, Mike Freeland, seconded by Commissioner, Bryan Berry and motion carried.

With no further business the meeting was adjourned at 10:21 a.m. with a motion by Commissioner, Mike Freeland, second by Commissioner, John Fields, motion carried.

The board reopened their meeting at 10:33 to discuss the following

Auditor, Audrey Freeland presented a letter from KIRPC asking if the county is interested in doing another small business grant. Commissioner Berry explained what the small business grant program. Auditor Freeland added that the non-reverting fund for the small business grant funds is still open. The board discussed past grants and how it needs to be explained to the applicants that the money is to be used for the business and that it is not a gift to the business owner.

The group had some discussion regarding the tax bills, assessments, referendums and other things that have contributed to the increased costs. Carole Hoff said she wanted to mention that people are at an all time high of anger. Commissioner Berry said that he has been getting phones calls. Carole said that it is more intense than last year so she wanted to let the board know for security purposes. Gail asked if they wanted her to put something in the paper. Carole said that after attending the legislative meeting that they discussed the Ukraine war and Covid are affecting the taxes. Carole said that Ukraine was a breadbasket, and it has affected us, and the speaker was very intelligent, so she brought back the packet to share with taxpayers. Gail said to let her know if they wanted something put in the paper.

The motion to approve moving forward and participating in the COVID Small Business grant was made by Commissioner, John Fields, second by Commissioner, Mike Freeland and motion carried.

Commissioner Berry spoke about the Council giving their blessing to remove his name from the CD's at the bank, and he would like the board's approval to have his name removed from the Farmers and Merchants bank. Commissioner Fields and Commissioner Freeland are ok with that if there are two names on them.

Commissioner Freeland asked Angie if the \$1200 cost was going to be monthly for the websites. Angie replied that no it is \$50 a month so that is for the whole year.

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Angie wanted the board to know that she has not disclosed that the purchase was a done deal to Mrs. Parker. Commissioner Berry will attend the closing for the purchase of the church today at 11:30 and said that it might take up to 48 hours for the funds to be wired. Auditor Freeland said that for a transfer or ACH he would need to talk to the Treasurer's office to get the paperwork. If they accept a check, they can cut one today.

With no further business the meeting was adjourned at 11:04 a.m. with a motion by Commissioner, Mike Freeland, second by Commissioner, John Fields, motion carried.



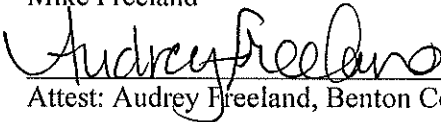
Bryan Berry



John Fields



Mike Freeland



Attest: Audrey Freeland, Benton County Auditor