

## Benton County Commissioner Meeting April 18th, 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, Gail Lange, Marissa Mikel, Pat Williams, John Cox, Matt Hull, Brayden Ely, Beth Budreau, Darren Regnier, Carole Hoff, Kathy Sarault, Jeff Kemper, Marlene Reynolds, Jason Fisher, Susan Dadacz, Dennis VanWanzele, Dave Wettschurack, Bill Brost, Chad Widmer, Jerry Rooze, Tom Murtaugh, Cathy Coats, Zach Beasley, Kirk Miller, David Byers, Paul Widmer, Steve Kerkhoff, Dan Kerkhoff, Rebecca Vandever, Joyce Jansson, Sam Clark, Dale Budreau, Mike Sondgeroth, David Bothlinger, Sally Mullen Weber, Barbara Gaving, David Gick, Steve Windler, Diane Windler and Samantha Smith

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

- Grinding – the guys are grinding and starting to work on CCMG projects. They are hauling stone (over 1000 loads to haul)
- Pipes – replacing pipes as needed
- Deck replacement - only one bid was received and that was from Leuck Dirt Works in the amount of \$29,540.00. Commissioner Freeland asked what the cutoff date to accept bids was or if it had passed, yes, it has passed. The small structure is located on 400 West about 380 North. Commissioner Berry asked if that includes pouring the concrete, yes, that is for everything. Commissioner, Mike Freeland motioned to accept the bid from Leuck Dirt Works, seconded by Commissioner, John Fields and motion carried.
- Staffing – Commissioner Fields asked if Tyler accepted the job. Mike said that yes, he did, and he is finally at full staff for right now. Commissioner Freeland asked if Damon was still looking to leave. Mike replied that he received a phone call but Damon has not spoken to him about it.
- Summer help – Commissioner Fields asked if he had filled the summer help yet. Mike stated that they would not open that until later.

### **Business:**

The April 4th, 2023, regular scheduled meeting minutes were reviewed and approved with a motion by Commissioner, Mike Freeland was made, second by Commissioner, John Fields and motion carried.

The pay at once claims were approved with a motion by Commissioner, Mike Freeland, second by Commissioner, John Fields and motion carried

### **Pat Williams – Interim CES for Extension office**

Pat reported that they have done interviews for the full-time CES and said that a decision should be made soon.

Pat then asked the board if he could request comp time for Jennifer Bennett during the 2023 fair. He would like to request that any hours for Jennifer over 40 hours for that week be granted as comp time. Auditor Freeland stated that any/all comp time must be used within a certain time frame and that all comp time is used up prior to PTO. Pat thanked the board for their time.

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**John Cox – Sheriff of Benton County**

- Parking lot – quotes for expansion. The highway has agreed to do the work except for removing two old trees and installing the handicap railing. Commissioner Berry said that there is a halo out there that will need to be located before anything is done. Commissioner, John Fields motioned to approve the expansion, seconded by Commissioner, Mike Freeland and motion carried
- Past due bills – Sheriff Cox said that he has paid out over \$25,000 for bills that should have been paid out of last year’s budget. There are now two more bills-one for the K9 replacement and one to pay for Deputy Jones being outfitted and uniforms. Commissioner, Mike Freeland motioned to approve assisting with paying these claims out of ARPA funds, second by Commissioner, John Fields and motion carried.
- Radios – John would like to purchase 4 radios for his staff 2-VP5000 radios will be for the correction officers and 2-VP6000 radios will be for the merit deputies totaling \$12,162.64. The request was approved with a motion by Commissioner, Mike Freeland, second by Commissioner, John Fields and motion carried. Commissioner Freeland asked if there was enough funding in the ARPA fund to cover this expense as well, yes it does. The radios will be paid for out of the ARPA funds as well. Commissioner Berry asked what the difference between the two radios were. Sheriff Cox replied that the VP5000 does not have as many options
- Rockin Dirt & Muller Masonry – both advised Sheriff Cox that an architect would need to be hired to fix the block, brick and foundation problems that have been found. He would like to reach out to RQAW to see what they can do for them.
- Grants –
  - Body worn - \$11,600 – correction officers to give them recording abilities
  - Deputy body worn - \$13,400 – merit deputies are all outfitted now
  - We Tip Hotline – received \$2,200 from the Coalition for the anonymous line
  - BC Foundation grant – requested \$20,000 to be used for equipment replacement
  - Ballistic Vest – will be applying to outfit the correction officers. Have spent \$6,000 getting the merit deputies and security officers theirs
  - Taser replacement – at this time will have to put this on the shelf as much as he does not want to due to the cost. It will cost approximately \$60,000 over 5 years so approximately \$11,000 per year
- Vehicles – Deputy Fuehrer’s vehicles are at the upfitters and with the combination of the K-9/Prisoner box it will cost around \$20,000. The second vehicle which will be given to Deputy Deno will be in around June
- Staffing – they held their testing, and one individual has moved forward in the process, Julie Marsh. He is hoping to have everything confirmed and an offer by the end of the month. He is still down 2 correction officers and his staff in the back are getting burnt out.
- Boswell Marshall – Sheriff Cox spoke about the loss of the marshal and that the county will cover as needed but is in contact with the Town Council to discuss short and long term solutions. He asked about possibly putting together and MOU
- BP project – Sheriff Cox was asked about hiring deputies part time for security. He is seeking the board’s approval as far as they will and will not allow. He asked about putting together an MOU for this purpose. Commissioner Berry stated that he believes due to past issues there is an ordinance on this and asked Auditor Freeland to send it to Sheriff Cox. He continued on by saying that he believes it states that a percentage of what is earned is paid to the county. Commissioner Freeland said that to cover the equipment usage and fuel, yes, it is. Sheriff Cox said it would also be in county security only.

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**Business continued:**

Auditor Freeland said that the pay at once claims were approved but not yet signed. She went on to state that Commissioner Berry reached out and questioned the payment to the Treasurer of State. Auditor Freeland said that she did correct it on the handout, the fund/account listed were correct but the description listed BP Community Investment and that was incorrect. The payment represents the state fines and forfeitures due to the state.

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

**Matt Hull – Building Commissioner**

Matt informed the board that the Bagwell house has been removed. The Town of Ambia covered the cost involved.

Auditor Freeland updated Matt that County Attorney Ahler is going to petition the court and request that the tax deed for the Peer property be rescinded. She will keep him up to date as things move forward.

**Business continued:**

A letter of services from Gretencord was shared and discussed. Commissioner Freeland said that last year Darren and Brian thought that they handle a lot of it so he feels maybe doing only a part of the items listed. The board asked Auditor Freeland to ask Darren to join the meeting.

Auditor Freeland presented a proposal from Dossett Consulting regarding the cost allocation plan. She stated that she had previously sent the current agreement with Maximus to Attorney Ahler for review. The new proposal is \$500 cheaper annually and they (Dossett) have agreements with the clerk and are hoping to get the Prosecutor to sign as well. Commissioner Fields asked who she preferred to work with. Auditor Freeland stated that she likes both companies and is not partial to one over the other.

**Darren Regnier – Custodian**

Darren reviewed the proposed scope of work from Gretencord and discussed with the board what his recommendations would be for his department to cover if any at all.

Darren did not feel that they would be able to do the mulch. Commissioner Freeland said that they will have Gretencord cover that and the initial big clean up. Darren said that if the board has Gretencord do all of the initial stuff then him and Brian can take over from there as long as Brian is available. Commissioner Freeland said that they will have Gretencord do all of the flower beds and mulch. Darren asked if it would be mowing at the annex and med shed, no the highway summer help does all of that. The custodians would just cover the courthouse, annex and med shed grounds, which is correct. Commissioner Freeland will reach out and review everything with Rick Gretencord.

**Business continued:**

The Dossett agreement was reviewed. A letter of intent to cancel services with Maximus was reviewed and approved to be signed and sent with a motion by Commissioner, John Fields, second by Commissioner, Mike Freeland and motion carried.

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**The meeting was temporarily adjourned at 8:57 a.m. for Drainage Board meetings with a motion by Commissioner, Bryan Berry, second by Commissioner, John Fields, motion carried. The board reopened their meeting at 11:17 to discuss the following**

**Jeff Kemper – Dossett Consulting**

Jeff just wanted to say thank you to the board for their approval for moving forward with Dossett to perform the cost allocation plan. He spoke with the Prosecutors office, and he is hopeful that they will join them as well.

**Kathy Sarault – County Health**

Kathy came before the board to request approval for some purchases for the county nurse over \$1,000.00 through her grant funds. She has the funding available through her Immunization and Vaccine grant funds. All purchase requests were approved to be paid through grant funds with a motion by Commissioner, Mike Freeland, second by Commissioner, John Fields and motion carried.

**Carole Hoff – Treasurer**

Carole wanted to present the board with an email she received from another County Treasurer regarding a situation that occurred that their recent tax sale. The situation was discussed and the possible situation occurring here at our sale. Auditor Freeland stated that while in attendance at the Tax Sale Seminar that they discussed this concern also and said to make sure their boards were aware. After some discussion Attorney Ahler stated that he would review the statute and let Auditor Freeland and Treasurer Hoff know if an annual tax sale must be held.

**Marlene Reynolds – Taxpayer**

She came before the board today to discuss the broadband internet. She has done some research, but she works from home and she said the connection is pitiful. Commissioner Berry asked her where she resides. She replied that she is in Gilboa Township (Remington). She has called Mainstream which informed her that there was not enough interest. Her nearest neighbor is ¼ mile down the road and they are the only two houses on the street so she is not sure how more could be generated.

Commissioner Berry informed her that the county recently signed an agreement with a company named Americrew who will be working on broadband to provide 100 MB service to the rural areas who were not covered. The county's position is to make sure that all community members have access to reliable and good access to high speed internet. The county has received their study on tower back and is just waiting to get together to continue those discussions. Commissioner Berry added that there will be 5 new towers added to the county and 1 of them is set to be placed in Gilboa. Commissioner Berry told her that the project will take approximately a year at least and told her about a promotion that T-Mobile is offering.

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

- Mutual Aid – Agreement with Otterbein (EMA) – last fall Otterbein approached Jason and Smoky about signing the mutual aid agreement but nothing was completed at that time. Attorney Ahler stated that he has been in contact with their attorney. Jason said that he has asked them to come to a meeting to discuss the issue since they are both bound by Indiana Code and Title 10 to provide emergency services. Jason feels the only time it would be an issue is if FEMA did a declaration for just Tippecanoe County. Commissioner Berry asked if we have ever had one in

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the past. Commissioner Fields said that there was one for the district but not county to county. Jason said that he does not see anything that would make him not want to sign it but is seeking the boards approval for him and Smokey to sign. Attorney Ahler advised that if the board approves the agreement and gives Jason authority to sign it on behalf of the county it would be ok. Commissioner, Mike Freeland motioned to approve moving forward with the agreement and gave Jason permission to sign the document, seconded by Commissioner, John Fields and motion carried.

- Damage assessment – They have completed with their assessment and have received the FEMA declaration. They have received some inquiries about what assistance will be available and Jason continues to work to provide that information. The deadline is the 21<sup>st</sup> and Jason is working with the highway to get their expenses as well, which include the stolen barricades and cones.
- Race – The super mileage club reached out about their electric race where they have to race 100 miles and they typically hold it at SIA but not able to this year. Jason asked the board about shutting down a road near/around BC (300/400) for them to hold their race. The board asked a few questions then asked Jason to get more information and come back to discuss it further.
- Siren work – they will start in town 1<sup>st</sup> and the tower, then work out to service the others
- Code Red – Jason met with them via Teams meeting and received assurances that the issues would not happen again.
- Comp time – Jason spoke about the request for an employee for comp time. Auditor Freeland spoke about FMLA and that hourly employees are paid for their hours worked. She went on to state that Jason is trying to do whatever he can to work with the employee and is empathetic to the situation. Attorney Ahler also stated that there are only so many times within a year, or they can be terminated. He went on to explain more of the legality. Auditor Freeland added that there are items in place for the department regarding “emergency” coverage and that sort of thing but Jason is wanting to make sure that policies are being followed. The board discussed the situation and Attorney Ahler also added some advisement on the subject.
- HSBC grant – the grant deadline is 04.25.2023 and wanted to ask the board if they have anything else they would like to add. He has laptops, door controls for the dispatch building to wrap that up and wasn’t sure if there was anything needed at the courthouse. He said that there was some discussion pile ons at the south entrance. It was mentioned that the maybe look at card readers to exit the building.
- Wealing demo – Jason asked the board if they had seen the demonstration/training on the ballistic shield and if the board wanted him to see about adding that.
- Cameras – there have been some added to stairwells and could look at adding some to the hallways
- IT Room remodel – Jason has received the full ok to move forward with all of that

### **Susan Dadacz - Taxpayer**

Her concern is nine hundred down to the dairy and the level of dust. She said that unless there is a large rain there is going to be an accident. She witnessed multiple trucks blowing through the stop sign. She said you cannot see through the ball of dust. She is asking if the county could put down soybean oil or something. Commissioner Berry asked if for the last 300 feet if they put calcium sulfate if that would help. Susan believes so, and reiterated that something needs to be put down. Commissioner Freeland said that they should be able to get something put down.

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**Samantha Smith – Surveyor**

Sam asked if she needed to send out letters to the landowners in the Darby and Windler drain area since the meeting is being continued. Commissioner Berry said not until they move forward, and no date has been set. Attorney Ahler said that is correct.

**Beth Budreau – Deputy Auditor**

Beth came before the board to talk about an email from EPIC regarding an old employee's claim and they are seeking payment of \$17,100.00. Commissioner Berry asked if the bill is due to the employee not doing their due diligence. Beth stated that she had spoken to Don after he responded to the email as well letting them know that they were not being ignored but in fact they were emailing the wrong people. They (AMPS) are requesting payment. Commissioner Berry asked why it wasn't received last year. Auditor Freeland stated she is unsure, and that Don is looking into that as well. Commissioner Berry stated that he does not want to pay it until we receive more money. Commissioner Freeland asked why it listed as through December 2026 also. Beth said she does not know why. Commissioner Freeland agrees that nothing should be done until more information is given.

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

Jason came back to see if the board has considered a credit card for EMA yet. Commissioner Freeland said that they have not had enough time with the most recent one. Commissioner Berry said that he was not in favor of giving the Sheriff one even if it was on a trail basis. Jason said that he understands that will work and as long as someone is around in the event one is needed.

Jason asked about the Glotzbach carryover balance that needs to be paid with interest charge and he would like that to be switched to a pay at once claim. Commissioner Freeland said that we are not paying interest. Auditor Freeland said she does not believe she does not charge the retirement village; she will double check to be sure. The cost is \$12922.38. Commissioner Fields asked if it was over 30 days. Auditor Freeland said that they pay the claims once a month so sometimes things cross in the mail. Jason said that it is more because they are now able to get more drugs/supplies from her. Commissioner Freeland said to let her know that they want to continue to use her but that we should not be charged interest. It was suggested to ask her to waive those interest fees. The request to pay it as a pay at once is only approved for this one time by Commissioner Freeland if all the fees are waived. Commissioner Fields agrees that the county should not be paying interest. Commissioner Berry said that he is not in favor of any pay at once claims and that it was up to the other too. The request for the pay at once claim was denied. Jason will scan the bill to the board.

**Business continued:**

Auditor Freeland passed out calendars she received in the mail.

Commissioner Berry shared notes he took when Judge Wright came before them to discuss updating firearms. Judge Wright is going to trade in the old firearms and purchase new ones with probation funds. This was approved with a motion by Commissioner, Bryan Berry, seconded by Commissioner, John Fields and motion carried.

Auditor Freeland said that she has talked with security about a recent individual who came into her office and then called back who was upset and yelling at her about the project happening within the Town of Fowler on State Road 55. She stated that she explained to Mr. Bobby Fuller that the project is a state

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project and that the county does not have anything to do with it. He has threatened the surveyor of the project as well.

Auditor Freeland shared an email from KIRPC stating that the county was unsuccessful in being awarded any more funding through the small business grants.

Commissioner Freeland asked where Town of Boswell Marshal, Coltin Clark went to. Auditor Freeland explained she was not sure.

Auditor Freeland said that she needs a signature for Autumen Technologies / Harris for official cancellation. Commissioner Fields asked what they did. Auditor Freeland stated that they were the old software companies.

Attorney Ahler had to leave and asked Auditor Freeland to send some dates/time about the possible executive session meeting, she said she would.

Auditor Freeland presented a public access request from Ryan LLC, and they want the preliminary assessing rolls for research and tracking for current clients and the exemption list. Commissioner, Bryan Berry voted to deny the request and said they can come into the building to obtain any of the information requested that is public in person, second by Commissioner, Mike Freeland and motion carried.

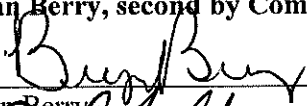
Auditor Freeland asked for another page that needed a signature on the Dossett agreement to be signed. Commissioner Berry signed the agreement.

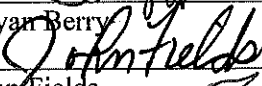
Commissioner Berry stated that there is a company Crankshaft who has come forward with interest in joining the clinic. The board agreed that the more the merrier.

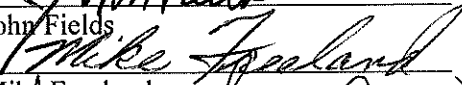
Commissioner Berry said that Angie reached out to O'Malley and has not heard back yet. Commissioner Berry said that he texted him and told him that he had until Friday to make the payment due for the Boswell School. Commissioner Fields said that he is not sure why he has not paid it. Commissioner Freeland who said that he also missed a filing deadline, and the taxes were around \$17,000.00.

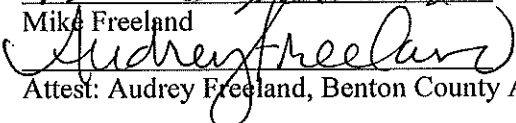
Commissioner Berry asked Commissioner Fields what his thoughts were after the public meetings with BP. Commissioner Fields said that they should have done it very differently. There were a lot of negative comments from the public and they needed to have a presentation. Commissioner Fields said that Denny Stephens kind of put them in their place when he was speaking about the price, they are planning on paying the landowners. The landowner that has signed up signed up in February before they were even supposed to. The board shared their thoughts about the entire project.

**With no further business the meeting was adjourned at 12:29 p.m. with a motion by Commissioner, Bryan Berry, second by Commissioner, John Fields, motion carried.**

  
Bryan Berry

  
John Fields

  
Mike Freeland

  
Attest: Audrey Freeland, Benton County Auditor