

MINUTES
FOUNTAIN COUNTY COUNCIL
October 15, 2024
9:00 a.m.

The following Fountain County Council members were present for the meeting: Dudley Cruea, Tom Booe, Dale White, Kelly Carlson, Denise Crowder, Jim McKee and Jeff Fishero.

MINUTES

A motion was made by Kelly Carlson and seconded by Tom Booe to approve the minutes of the September 9, September 17 and September 30, 2024 meeting as presented.
Vote: 7-0

CROSS ROADS SOLAR PROJECT

Colin Snow stated he was happy to answer any questions. He also introduced the Construction Manager, Daniel Norris. He stated that DESRI is the owner/operator of the project. Dudley Cruea questioned why there are different maps for the project. Colin said that he hadn't seen a Veedersburg map. He said the accurate map was given to Roger Azar. Nikki Shoultz, Cross Roads Attorney, stated she has listened to the concerns and sent the accurate map to Roger Azar. Tom Booe asked about parcels. Colin said the ERA only applies to parcels on the map. They have followed all of Fountain County's rules on the permit and ordinances and will continue to do so. Colin said that DESRI works under the Cross Roads LLC. Daniel Norris said he would like everyone to reach out with any questions. Jeff Fishero asked Taylor Powell, Council Attorney, if what they were doing was legal. He stated that yes - it is legal. Kelly Carlson stated she felt as though they had been bullied. She also quoted Tim Shumaker as saying "they are coming whether we give them an abatement or not." Nikki Shoultz said she did not want the Council to believe they were being "hoodwinked". She said Cross Roads Solar passes the baton to different entities, but it's all under Cross Roads LLC. Kelly wanted to know why DESRI had never been mentioned before. Ms. Shoultz stated that they are the contractor of Cross Roads LLC. Rick Beck stated that he was never notified about his neighbor's project and that he heard it through the grapevine. Amber Roarks asked when Cross Roads started soliciting in Fountain County. Colin replied they are not soliciting, but started contacting land owners in 2019. Clint Kilby asked who wrote the ERA and in what state is the LLC registered. Colin said he believes it is Delaware. He stated that whoever works for Cross Roads LLC has to follow what has been required by the County and landowners. Kelly Carlson asked if the map has changed. Colin explained that the map cannot change without a change in the permit and rules changing. Kelly also asked if they had started anything on the project. Cross Roads stated they are waiting on information from Rick Hall. The County will be the holder of the bond. Jim McKee stated he wanted the roads taken care of during the process. Dudley said they were told all the road agreements and the decommissioning agreement were signed, but they were actually signed 5 months later. Daniel Norris said they would maintain the road and repair any issues with the roads. Denise Crowder said that she was not comfortable with the ERA from the beginning. There were too many questions and things were kind of "wishy-washy". We are in the same place that we were in 19 months ago. One of the major issues with the ERA was the wording in regards to the land being defunct and it passed with your attorney's change to the language to make it look good.

There was more discussion in regards to the various agreements and zoning ordinance along with the structure of the project. Dudley asked why they purchased 126 acres from the White family since they lease from others. Colin said they would rather not discuss as the details of it is between them and the

landowner. Dudley had concerns about battery storage on the property. Colin Snow stated that this would be a separate permitting process.

A motion was made by Kelly Carlson rescind the Economic Development Agreement dated March 6, 2023. The motion was seconded by Jim McKee to put it on the floor.

Vote: 5-2

(Voting Nay: Jim McKee & Tom Booe)

Report of Collections – as submitted

A motion was made by Kelly Carlson and seconded by Denise Crowder to acknowledge the Report of Collections for the Health Department and Recorder for August; the Ambulance, Clerk, Health Department, Recorder and Sheriff for September.

Vote: 7-0

Review and Acknowledge Treasurer’s Bank Reconciliation & Monthly Comparison Report

A motion was made by Denise Crowder and seconded by Kelly Carlson to acknowledge the Treasurer’s Bank Reconciliation for September 2024 along with the Monthly Fund Comparison Report.

Vote: 7-0

Review & Acknowledge Clerk’s Monthly Report for August 2024

A motion was made by Kelly Carlson and seconded by Denise Crowder to acknowledge the Clerk’s Monthly Report for August, 2024.

Vote: 7-0

Additional Appropriations

Hearing Opened at 10:12 a.m.

Public Comment:

Carol Owens questioned the amount of \$645,500 for the grinder/sewer project at the jail.

Hearing Closed at 10:16 a.m.

Resolution 2024-17

LIT – Special Purpose

1114-0000-33604 Other Svcs. & Charges \$645,500

Non-Reverting Dispatch

1223-0000-14000 Overtime \$20,000

1223-0000-10600 Part time \$ 4,000

A motion was made by Kelly Carlson and seconded by Jeff Fishero to approve the above additional in the amount of \$669,500.

Vote: 7-0

Transfer

Co General – Jail

From: 1000-0380-33500 Telephone
To: 1000-0380-33600 Repair & Maintenance \$1,500.00

Local Road & Street

From: 1169-0000-22320 Gravel \$4,885.36
To: 1169-0000-33130 Contractual Services

To cover USI invoice for Fountain County 2024-1 CCMG Construction Assistance

MVH

From: 1176-0533-33601 Other Repairs & Maint
To: 1176-0531-22400 Grader Blades \$9,750.19

Covers the invoice for Grader Blades that are needed.

Co General – Commissioners

From: 1000-0068-33020 Soldier Burial \$5,000.00
To: 1000-0068-33490 Liability Insurance

To cover any expenses between now and the end of the year.

CCD - Courthouse

From: 1138-0172-33550 Utilities \$5,000.00
To: 1138-0172-22060 Janitorial Supplies

To cover expense from now until the end of the year (Cintas; Pest Control)

From: 1138-0172-33550 Utilities \$1,000.00
To: 1138-0172-22060 Snow Removal

To cover the lawn mowing and any snow removal between now and year end.

CEDIT – Co Commissioners

From: 1112-0068-33505 Internet \$10,000
To: 1112-0068-33500 Telephone

To cover telephone expense until the end of the year.

Co General - 911

From: 1000-0303-33300 Travel/Mileage \$483.00
To: 1000-0303-33105 IDACS

A motion was made by Tom Booe and seconded by Denise Crowder to approve the transfers.
Vote: 7-0

Resolution 2024-18 – Appropriation Reduction

MVH – Restricted

Personal Services \$6,765
Supplies \$72,000
Total for Fund \$78,765

MVH - Unrestricted

Highway Administration

Other Services & Charges \$5,000

Maintenance & Repair

Personal Services \$22,430
Supplies \$3,000
Other Services & Charges \$2,500

General & Undistributed

Personal Services \$19,000
Total for Fund \$51,930

A motion was made by Jeff Fishero and seconded by Kelly Carlson to approve the above Resolution 2024-18 reducing the appropriations in Funds 1173 and 1176.
Vote: 7-0

Resolution 2024-19 – Appropriation Reduction

ARP Fund - 8950

WEGA Business Incubator \$337,953

A motion was made by Denise Crowder and seconded by Kelly Carlson to approve Resolution 2024-19 to reduce the appropriation in Fund 8950.

Vote: 7-0

Architura Invoice - \$22,900

The invoices in question were for an environmental engineer and a survey scan of the courthouse. These could be used in the future. Dudley stated that they could not vote on it as the Commissioner's must first vote on it.

DEPARTMENT HEAD REPORTS

Ambulance – Garth Kagels

Garth passed out a report with the number of ambulance runs as of the end of September. He stated due to everything being transferred out, there is roughly a two-hour turnaround. He also stated that the collections numbers are on the rise. He is fully staffed. He is also training a couple of part time people. There is currently no word on the remount.

Roger Azar

Roger stated that the ERA/EDA being rescinded does not affect him.

Highway – Jason Lewis

Jason said they are doing maintenance on equipment getting ready for winter.

Health Dept – Jenny Eads

Jenny asked if there were any questions in regards to her budget. The council has decided to put the salaries in fund 1159. The County cannot move the money from Fund 1168 and 1206 to the HFI Fund 1161. She will use 1168 and 1206 as carry over funds. The health department may need a new server eventually, which could be up to \$20,000.00.

E-911 – Dana Stonebraker

Dana informed the council that the Next Gen Grant will not cost the county any money. It is just updating the address points. Warren County has also received this grant. The were filed separately by WTH.

Coroner – Joshua Whittington

Josh stated that Wally Hooker is celebrating his 30 years with Fountain County.

Custodian – Rick Beck

Rick will be retiring at the beginning of December. He thanked the Council for everything they have done and for approving the bids on projects. The Council thanked Rick for all he has done for the County and the Courthouse.

Public Comment

Amber Roarks – Amber wanted to address the contract signed on October 17, 2022: She wanted to discuss the sale of the building, which is 2.4 on the second page. Amber said the County will only receive money if it is filed through October 17, 2024. She said the County is being misinformed. Amber told Rod Bannon that he knew it was a two-year contract. Rod said he will take it back to the attorney. If it is misleading or written incorrectly, Rod said they will make it right.

Paws and Claws – Jessica Lucas, Shelter Manager

The council asked why there was a 20% increase in the contract. They wanted to know what they are getting for their money and what is covered. Hillsboro and Covington are not covered. The contract is not for towns. There is a separate contract for Attica and Veedersburg. Newton, Mellott, Kingman are only covered if the law needs assistance. The shelter cannot afford to pay the staff more than \$10 per hour so they have a lot of turnover. Right now, they have 42 dogs and 53 cats. They have no room currently. She has talked to Brad Crain, but he said no to a contract. Dudley asked for a breakdown of how many animals that the county has paid for? Jessica said she will get this and send to the council. She said their income comes from Fountain County, Attica, and Veedersburg, donations and fundraising.

ARP

Jeff Fishero stated he would like to use \$5,000 to \$6,000 to correct the sidewalks. Rod Bannon stated that the raised sidewalk doesn't meet ADA guidelines. They have met with the state. The State said they would not pay for anything. Rod said he would have to charge each individual. He wants to help rebuild and has been looking for grants. Rod said that Hillsboro would like to replace the sidewalks, but they do not have the money. Dudley stated this could be paid from the ARP money, if approved, but we would need a bill and we are also in a time frame. The Commissioner's and Council would have to agree. Jeff said he will contact the State Senator and even the Governor to see if this can be done.

Budget Hearings

The Council went over the budget for 2025. Dudley said the Public Safety fund is low and will need an additional to finish out the year. They discussed Clerk, Auditor, Treasurer, Coroner, Assessor, Prosecutor, Vet Services, Circuit Court, Election Board, Council, Commissioners, Plan Commission, Emergency Management, Solid Waste and Ambulance.

Dudley Cruea called a recess to the budget hearing until Monday October 21, 2024 at 5:00 p.m.

**THE NEXT MEETING WILL BE A
October 21, 2024
AT 5:00 P.M.**

Colleen Chambers
ATTEST

Dudley Cruea
James D. Dase
Dale A. White
Kelly L. Carlson
Debbie Crowder
James D. Ker
Jeff Gustafson