

16

**MINUTES**  
**JOINT MEETING OF**  
**FOUNTAIN COUNTY COMMISSIONERS**  
**FOUNTAIN COUNTY COUNCIL**  
**July 8, 2024**  
**6:00 p.m.**

**Call Meeting to Order:**

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

Brenda Hardy called the meeting to order for the Fountain County Commissioners. The following Commissioners were present: Brenda Hardy, Tim Shumaker and Aaron Fruits.

Kent Minnette and Taylor Powell were also present.

**COUNTY RENOVATIONS**

Brenda Hardy gave a brief background on the history of the annex from the purchase to date. The Council voted to stop spending on the annex because funds were not appropriated. It is not a million dollars to design.

She said she would like to make it easy for all of them. She would entertain a motion to stop the work on the annex and pay only for what work they (Envoy, Ameresco & Architura) have done up to this point. Rich Taylor would like to meet with Aaron and Dudley (or someone else of Council's choosing) to determine if any further work will be done on the annex.

Tim Shumaker made a motion to stop the work on the annex and let the new administration take over after the first of the year.

Dudley asked if we know what the costs would be? We have one invoice for \$143,000. Are there additional costs that we will be receiving invoices for? Brenda said there is a little bit but is not sure of the amount. They finished the schematic designs. They did not design these from scratch they took what KJG had.

Kelly Carlson said as a Council they made an agreement to stop the work as of May 1, 2024. They were to turn in all invoices in 30 days. The invoice we received was a little over \$143,000. We gave them notification and they should adhere to it. We should not pay any bills after this date.

Denise Crowder stated that was her conclusion also. She does not see how their motion is any different from what they did at their May meeting.

Brenda said there was funding appropriated for the Commissioner to use on the Renovations. That is why they continued to get to this stage of the design.

Kelly Carlson said they received information on May 28, 2024 that Envoy was told by the Commissioners to continue the work. Is that factual or not?

Brenda Hardy - We told them to finish the design otherwise we would have not had any thing to show for it.

Dudley Cruea said he was in favor of Maple Corner for the annex to the Courthouse provided we only spent the ARP money for the whole renovation, which was approximately \$1 million. This would provide for E-911, Coroner's office and Commissioner/Council chambers. He vowed not to spend a dime of the taxpayer money on the renovation of Maple Corner. The project is now up to \$6-\$7 million dollars and that is why he can't support it as it will cost the taxpayers.

Brenda Hardy said it was a million dollars just for Phase 1. Phase 1 was just for E-911. Dudley has a text from Andrew Hall with the breakdown and it was for \$1 million.

Tim stated that his motion was still on the floor. Tim Shumaker made a motion to halt the project until after the first of the year when we have a new administration and to pay the invoices up to this point. Aaron Fruits seconded the motion. Vote: 3-0

Dudley Cruea asked if Envoy will be notified to not do anymore work. Brenda Hardy wants to make sure they are paid. Aaron had asked for a breakdown of some of the charges.

Tom Booe stated at their last joint meeting, he and Mr. Conly had a discussion and I told him we were not able to fund the annex. I also told him that he had some great plans. I'm not sure where we came up with this \$144,000 fee. We need a breakdown.

Aaron Fruits asked how everyone wants to proceed. The money needs to be appropriated before December 31, 2024. E-911 needs to be done now. Aaron has issues with security for E-911 at the annex.

Denise Crowder said from a financial standpoint it makes more sense to put it at the jail because we have some funds for that. It would be safer there. We could do a separate entrance and add it on to the jail.

Brenda Hardy stated it was a lot cheaper to have E-911 at the annex due to utilities for one. Also, they can use the annex for when they start on the renovations for the Courthouse. Aaron Fruits asked what they wanted to do.

Dudley Cruea said to put it up for sale. It is going to cost us way too much money. I like the plan to put the E-911 and the coroner's office out at the jail. We have money in the Special LIT fund that can do that project. We need to figure out how much is left in the ARP fund after we negotiate with Envoy. I know we are going to have to pay them something. Also, we have to decide by December 31<sup>st</sup> between the Council and Commissioners on what we are going to do with the money in the ARP fund. It has to be budgeted but not spent by the end of the year. If this does not happen it will go back to the Federal government. I would like to see it go toward the County Highway garage. We need to explore all of the options for the Highway garage.

Kelly Carlson agrees with what Dudley said. She feels at this point, the annex is not a viable option for our county. You want to take an old building and put \$7 million into, when we could probably build a new one for less money. She also feels 911 and the coroner's office needs to be at the jail.

Jeff Fishero stated that when we do start work on the Courthouse, you will still need to put people somewhere.

Tom Booe also agrees with Dudley. We need to do one thing at a time and do it right.

Jeff Fishero said there is no storage at the Courthouse. Maybe we can use the annex for storage. It looks bad.

Kelly Carlson, can we get rid of some of these things and find a solution to the problem.

Dale White said we have all the property that we need. He fears that someone may say that we have to move the employees out while renovating. It will cost us substantially more than the 30% that the experts are telling us. We have options. He does have a concern that in my brief 18-month history we have a history of signing contracts and then want to get out of them. I don't think that is a good practice.

Jim McKee said he is not for a \$7 million project. We don't have to make a decision right now on Maple Corner. We need to gather some more information on what we might have to do and vacating portions of the Courthouse. The new Commissioners can make a decision at that time.

Dudley Cruea said he would encourage the Commissioners to talk to Warren County. They did not move people out of the Courthouse when they renovated.



Kelly Carlson - Sometime when those contracts are signed there are unforeseeable things that come along and we have to go back and revisit our decisions. We don't like to do that but sometimes it is necessary.

Aaron Fruits is still wondering what our plan is. Are we officially putting the annex on hold. Dudley stated that the Council had voted not to fund it. The Commissioners have voted that the contract has now ended. We have to be in agreement of what to do with ARP money. We have to decide if we are in agreement with the E-911, Coroner's office and the County Highway garage. If we are not in agreement, it will be a stand still until after January 1.

Kelly Carlson said that she does not like that it is taking approximately \$2,000 per month to maintain the annex or \$24,000 a year. We need to make a decision soon. The Commissioners need to decide what they want to do with the building.

Brenda Hardy said we need to address a meeting room and the veteran service office. She has her reservations that we can actually use Special LIT funds for the E-911. Brenda said meetings can be held at Maple Corner. We just need the equipment.

Dale White said the Community Foundation had been using it for various meetings and everything is in working order.

Jim McKee would like more information on how Warren County handled their renovations. They will check with the Warren County Auditor.

There was discussion on the additional appropriation/obligation of the ARP money before December 31, 2024.

### **Public Comment**

Dwayne Lathrop-Covington

He wanted to verify what offices are at the annex and how much it is costing the county.

Kelly Carlson said we are still incurring costs with the outside use of the annex. She also has concerns about liability issues.

### **Interlocal Agreement**

The Warren County Commissioners and Council along with the Fountain County Commissioners signed off on the interlocal agreement. However, the Fountain County Council did not. The Council does not feel like Warren County is paying their fair share on the agreement. There are concerns that the agreement runs from May 1 to April 30 each year. It does not flow with the budget year. They would also like for it to go back to the 1/3-2/3 split, with a 50% split on the equipment. The Council hopes that we can renegotiate the contract with Warren County.

A motion was made by Aaron Fruits and seconded by Tim Shumaker to renegotiate the contract with Warren County and to have the contract run from January 1 to December 31 of each year.

Vote: 3-0

### **Baker Tilly Invoice**

We received an invoice from Baker Tilly in the amount of \$21,583.10 for various bond scenarios. Council has not attended or participated in any conference calls with them. Dudley asked if the Commissioners signed a contract for this. Brenda Hardy said they did not and was unaware of the charges. She asked if this was part of the financial plan. It is in addition to the charge for the financial plan. The Auditor will reach out to Baker Tilly to get more details on the invoice.

### **Plan Commission – Additional Appropriation**

There was a request for additional fund in the Plan Commission budget for consulting fees. The Council voted to deny those additional funds. We have questions. We have asked for a list of all invoices that have been charged to the County. We were charged a solar company that has not applied for a permit in Fountain County. He is also charging us for when the public calls and asks questions. Some of the fees are not in line with the Contract.

Kelly Carlson said their concern is that he has overcharged the county \$9,950.00. Dudley asked if Roger was a member of the Plan Commission. Brenda stated that he

was a non-voting member. Dudley asked if he had to be a resident of the County. Kent Minnette stated he provides contractual services because the County does not have a zoning administrator and a county engineer. He will check the statute but he does not think there is a residency requirement. Dale White said we need to invite Roger to a meeting to ask him these questions. We do not need to talk about him without him here. There was also discussion on the billing and payment for solar companies and permit fees.

**Courthouse Security**

They would like to change the entrance to the Courthouse to the wheel chair ramp. They will be utilizing a metal scanner that we already have. They would like to purchase a canopy for the entrance. He will also be looking into purchasing gates and a desk for the area. **A motion was made by Denise Crowder and seconded by Kelly Carlson to use money (\$8,000) from the Council’s budget to purchase the canopy, gates and desk.**  
**Vote: 7-0**

**Courthouse – Chimney Removal**

Aaron Fruits stated that the chimney has been removed and capped. They finished it up today.

**Public Comment**

Tammy Hinote – You have tabled Maple Corner for now and we are discussing all of these extra charges. That’s good but before you continue to throw money at the annex or somewhere else, please remembers that county doesn't make money. They take tax money. Be responsible with our money.

**Kim Kalweit**

She works for the Town of Veedersburg. She said Rod Bannon had put in a request to use the sewer project as the matching funds for the Eli Lilly grant through the READI 2 Grant for blight elimination and redevelopment. Why is he asking for only \$500,000, when it is a \$3 million project. Are there other projects that are being put in for that money. I did my research and found out that if he uses that public match, we can’t go back and use it again for a federal grant later on. We are doing our growth plan and we can’t use that money. She is asking that a protocol be set up to ensure that the proper amount of funds is dispersed to the town of Veedersburg. She would like a formal proposal submission detailing the uses of the public match and the grant request concerning all matching funds. They are requesting a review of the grant proposal by Town officials and the town Council once it is presented. At this time, the town of Veedersburg does not give their permission for their sewer project to be used for the public matching funds.

**Clint Kilby**

He read Article 6 – a person appointed or elected as a county officer shall reside in the county one year preceding the appointment. Roger (zoning administrator) does not live in the county. A surety bond must be filed as the county is referring to him as the County Surveyor. Is he required to have a bond? He received information from his attorney stating that Roger should be removed from the APC Board and cannot act as the county surveyor.

**THE NEXT FOUNTAIN COUNTY COMMISSIONER  
MEETING WILL BE  
July 15, 2024  
At 9:00 a.m.**

**THE NEXT FOUNTAIN COUNTY COUNCIL  
MEETING WILL BE  
August 12, 2024  
AT 9:00 A.M.**

A motion was made by Denise Crowder and seconded by Kelly Carlson to close the meeting for the Council. Vote: 7-0

A motion was made by Aaron Fruits and seconded by Tim Shumaker to close the meeting for the Commissioners. Vote: 3-0

**Commissioners:**

Brenda Hardy  
Ken  
Tim Shumaker

**Council:**

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**ATTEST:**

Colleen Chambers