

MINUTES
FOUNTAIN COUNTY COMMISSIONERS, COUNCIL AND APC
OCTOBER 20, 2025
6:00 P.M.

Aaron Fruits and KW Rice were present for the Commissioners. Tim Shumaker was absent.

Kelly Carlson, Denise Crowder, Dudley Cruea, Todd Hegg, Jim McKee and Jeff Carver were present for the Council. Jeff Fishero was absent.

Jon Schrock, Dane Maltsberger, Dave Phillips, Brian Harshbarger, Michael Cunningham, Jim McKee and KW Rice were present for the APC.

MINUTES

A motion was made by KW Rice and seconded by Aaron Fruits to approve the minutes of the Commissioner's Meeting on October 06, 2025.

Vote: 2-0

CLAIMS 1-131 (\$290,218.74) and Payroll Claims

A motion was made by KW Rice and seconded by Aaron Fruits to approve all claims.

Vote: 2-0

REPORT OF COLLECTIONS – as submitted

A motion was made by KW Rice and seconded by Aaron Fruits to acknowledge the Report of Collections for the Health Department for September 2025.

Vote: 2-0

DEPARTMENT HEAD REPORTS

Health Dept – Jenny Eads

Jenny wanted some guidance on moving forward on their vehicles. Would the Council like to replace or repair the current vehicle? They would like to replace.

EMA- Tina Holmes

Tina stated that they have been filling the back of the command trailer.

Highway- Jason Lewis

Jason discussed Bridge 103 and 105 are up for design. Bridge 103 will be up for bid end of November and 105 in February of next year.

Ambulance – Garth Kagels

Garth sent an email to Aaron regarding vehicles. He had discussed a new ambulance with the Council in 2026. Sourcewell can help with the process. A representative will be here on 11/3/25 to discuss. Highway also uses Sourcewell. They are short on staffing for ambulances.

Kim Kalweit

She did get a subcommittee together for the WEGA building. This includes the contractor, grant administrator, the architect, and the treasurer. She is hoping this project moves along quickly.

PHI Discussion

PHI has responded to 33 calls as of October 18, 2025. Twelve they have not shown up for and seven because of weather. This is a free service through the County.

Public Hearing – APC – Jon Schrock opened the public hearing.

Moratorium on AI Data Center and Battery Energy Storage Systems

Zoning Ordinances

Hearing Opened at 6:12 p.m.

Public Comment

Tammy Hinote- Van Buren Township

Tammy discussed how the County has not finished with the Solar ordinance and now they are jumping to the Data Center. She explained how data centers use a lot of electricity and water. She said the consumers will pay for the increase in costs. She said property values will decrease on properties surrounding these centers also.

Jessica Anderson -

Jessica stated that she didn't see the moratorium in the paperwork. Jon Schrock explained where it was. Jessica said this was the first she had seen these and asked when they were made available for the public. Chris Brunner pulled them up on the website and said they were posted October 6, 2025. Jessica said her recommendation would be to give people more time and more education to look through the ordinance. She didn't understand the rush. She said she sees a few issues with the ordinance also. She said her first direct edit would be on Article 11. She said she would mirror the special exception approval requirement of the land ordinance. She asked that the County look closer at this. She also mentioned the 5280 feet nonparticipating property notice. She said this could be challenged in court.

Hearing Closed at 6:29 p.m.

A motion was made by Michael Cunningham and seconded by Dane Maltsberger to recommend the Article 10 approval of to the Commissioners.
Vote: 7-0

A motion was made by Dane Maltsberger and seconded by Michael Cunningham to recommend the Article 11 AI Data Center approval of to the Commissioners.
Vote: 7-0

A motion was made by Dane Maltsberger and seconded by Brian Harshbarger to recommend the Moratorium on AI Data Centers and Battery storage for approval of to the Commissioners.
Vote: 7-0

Public Hearing – Commissioners – Tabled until Commissioner’s Meeting on 11/03/25

Moratorium on AI Data Center and Battery Energy Storage Systems

Zoning Ordinances

Hearing Opened at ____a.m.

Public Comment

Hearing Closed at ____a.m.

A motion was made by KW Rice and seconded by Aaron Fruits to accept the recommendation of the APC and have a public hearing on November 03, 2025.

Vote: 2-0

ADDITIONALS

Hearing Opened at 6:35 p.m.

Public Comment

Hearing Closed at 6:37 p.m.

Additional

Highway (Cedit)

CCMG-Community Crossings	\$275,733.63
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Sheriff (Public Safety)

Repair & Maintenance	\$5,000.00
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A motion was made by Dudley Cruea and seconded by Jim McKee to approve the additional requests.

Vote: 6-0

TRANSFERS

Ambulance

From: 1000.0301.15200	Adv EMT	\$85,000
To: 1000.0301.15300	EMT-Basic	\$85,000

911

From: 1000.0303.33800	Training Education	\$231.40
To: 1000.0303.22000	Office Supplies	\$231.40

A motion was made by Denise Crowder and seconded by Todd Hegg to approve the transfers.

Vote: 6-0

PUBLIC COMMENT

Tammy Hinote

Tammy thanked everyone on the boards. She said it is not an easy job. She discussed the resignation of Jessica Anderson.

Bill Brewer

Bill said Jessica was right. He wondered why we are proposing new ordinances. He asked who has authority to pull the Dolphin permit. The County is stating they never had a permit.

Carol Owens

Carol asked where we are with the selling of Maple Corner. We have had people looking and bids are still open.

Jessica Anderson

She stated anyone is able to reach out to her. She wished she would have known and someone would have reached out to her. She stated she said she is a registered independent, but she voted in the republican primary. Jessica explained why she wanted to change the document. She said she can see where people are coming from, but she still feels like she should talk about being removed and later having her resignation letter accepted. She also wants the language to be looked out and changed on the special hearing.

Dane Maltsberger

Dane would like everyone to look at the facts. He would like decisions made based only on facts. He would like the fighting to stop and focus on preserving the County for future generations.

THE NEXT REGULAR COMMISSIONER MEETING ON MONDAY NOVEMBER 03, 2025 AT 9:00 A.M.

A motion was made by KW Rice and seconded by Aaron Fruits to close the Commissioner's meeting.

Vote: 2-0

A motion was made by Todd Hegg and seconded by Denise Crowder to recess the Council's meeting.

Vote: 6-0

A motion was made by Michael Cunningham and seconded by Brian Harshbarger to close the APC meeting.

Vote: 5-0

<<< SUBJECT TO CHANGE >>>


ATTEST



