

**MINUTES**  
**MARSHALL COUNTY COUNCIL MEETING**  
**THURSDAY, OCTOBER 10, 2024**

BE IT REMEMBERED: That on Thursday, October 10, 2024, the Marshall County Council met in a public meeting at the Marshall County Building, Room 203, 112 W. Jefferson Street, Plymouth, Indiana, at 9:30 a.m. pursuant to the call of the President. Board members present were President Jesse Bohannon, Vice President Tim Harman; Members James Masterson, Nicole Cox, Deborah Johnson, Will Patterson and Adam Faulstich; Attorney Marcel Lebbin; and County Auditor, Angela C. Birchmeier. The meeting streamed live at <http://www.youtube.com/@MarshallCountyIN>, the Invocation was given by Laura Brockaway, the Pledge of Allegiance was said, noting a quorum is present the business at hand was heard.

**PUBLIC INPUT CONCERNING AGENDA ITEMS**

No public input was heard.

**HEPLER BROOM, LLC**

Council member Cox read in the record a letter from Hepler Broom Associate Lauren White Regarding Economic and Decommissioning Agreement. She outlined and addressed two questions: Pursuant to the Ordinance, who must approve the decommissioning plan for SES; and Are Commissioner Overmyer's votes on zoning issues related to the Invenergy project a conflict of interest. Ms. White states that a complaint for declaratory judgment and injunctive relief can be filed on the issues. Noting the claims of conflict are very fact specific and the changes of a positive increase exponentially when it can be shown that a close relationship exists between the board members and the company. In this instance, she would like to see whether Invenergy and the Battery Energy Storage Company have a contract or are working in concert for the Invenergy Solar project. She was not able to obtain this information during her research.

Council members discussed the matter with Attorney Lebbin and Plan Commission Director Ty Adley. **Tim Harman moved, second by Nicole Cox, to empower the Board President and Attorney Lebbin to investigate and file an injunction on the Decommissioning Agreement and Conflict of Interest. Motion carried 7-0.**

**MARSHALL COUNTY MUSEUM**

Marshall County Museum Executive Director Sandy Garrison and Marshall County Historical Society Board President Mike Miley presented the quarterly report highlighting the Historic House Tour, festivals, Brown Bag Lunch & Lectures. A short story was shared about the first fair held in Marshall County in the Town of Bourbon.

**B&G TRUCK CONVERSIONS**

Council member Faulstich stated he met with Marshall County Economic Development Corporation President/CEO Greg Hildebrand and B&G Truck Conversions, Inc. He further explained it is an impressive operation and meets the abatement requirements. He thanked Mr. Hildebrand for bringing the project to Marshall County.

**Deb Johnson moved, second by Adam Faulstich, to open the public hearing for the B&G Truck Conversions request for tax abatement on personal property and real property. Motion carried 7-0.**

Marshall County Economic Development Corporation President/CEO Greg Hildebrand and McGuire Sponsel Principal Reid Pittard explained Phase I and II of the projects. The initial abatement request was a schedule of 100%, 85%, 71%, 57%, 43%, 29%, 14% on additional investment and they are now requesting a schedule of 100%, 95%, 80%, 75%, 55%, 50%, 40%.

**Deb Johnson moved, second by Will Patterson, to close the public hearing for the B&G Truck Conversions request for tax abatement on personal property and real property. Motion carried 7-0.**

**Nicole Cox moved, second by Adam Faulstich, to approve Resolution 2024-8: Resolution of the Marshall County Council, Confirming the Adoption of a Declaratory Resolution Designating Certain Real Estate to be Within an “Economic Revitalization Area” for Purposes of Real and Personal Property Tax Abatement Pursuant to I.C. 6-1.1-12.1 et seq. for B&G Truck Conversions, Inc. with a schedule of 100%, 95%, 80%, 75%, 55%, 50%, 40%. Motion carried 6-1, with Tim Harman voting no.**

**Tim Harman moved, second by Adam Faulstich, to approve Resolution 2024-7: Resolution of Marshall County, Indiana Declaring Certain Real Estate to be Within An “Economic Revitalization Area” Pursuant to Indiana Code 6-1.1-12.1 et seq. B&G Truck Conversions Inc. Motion carried 7-0.**

#### **PLAN COMMISSION**

Plan Commission Director Ty Adley requested \$5,000 - \$10,000 for the Battery Taskforce expert professional services. **Nicole Cox moved, second by Will Patterson, to support an additional appropriation request for \$7,000 in Plan Commission Professional Services line to be heard at the November meeting. Motion carried 7-0.**

#### **HIGHWAY DEPARTMENT**

Highway Department Superintendent Jason Peters and Clerk Denise Campbell requested permission to apply for Federal Highway Safety Program Funds to install centerline and edge line pavement markings on county roadways. The estimated project cost is \$500,000 with \$50,000 to be paid by local funds. **Jim Masterson moved, second by Nicole Cox, to allow the Highway Department to apply for the Federal Highway Safety Program Funds as requested with the County match to be paid from Local Road & Street funds. Motion carried 7-0.**

#### **COUNCIL ITEMS**

**Ord. 2024-4(7) Establish New Fund 8119: Bridge 108 – 7<sup>th</sup> Road: Nicole Cox moved, second by Will Patterson, to approve Ord. 2024-4(7) Establish New Fund 8119: Bridge 108 - 7<sup>th</sup> Road. Motion carried 7-0.**

**Consent Agenda:** Having had the opportunity to review the consent agenda items including additional appropriations and transfer of appropriations, Nicole Cox requested the board consider the EMA additional appropriation for Communication Upgrade in the amount of \$5,000 separately. EMA Director Jack Garner explained the request is to upgrade the tornado sirens that allows for automatic activation when National Weather Service submits an alert. The estimate is \$3,100 and Director Garner pledged that any amount not spent on the upgrade will remain in the fund balance. Council member Cox would like to see if there are grants available for this purpose. Director Garner stated he has not found a grant

opportunity specific to this upgrade. **Tim Harman moved, second by Adam Faulstich, to approve the EMA additional appropriation of \$5,000 for Communication Upgrade. Motion carried 7-0.**

**James Masterson moved, second by Will Patterson, to approve the remaining additional appropriations and transfer of appropriations under the consent agenda as presented. Motion carried 7-0.**

**ADDITIONAL APPROPRIATION ORDINANCE 2024-1(11):** Notice of Proposed Additional Appropriation was advertised in the Pilot News, posted on the county website, and bulletin boards on September 26, 2024.

**LIT Special Purpose (1114):** James Masterson moved, second by Will Patterson, to approve the additional appropriation request of \$75,000 into Utilities and \$9,000 into Telephone. Motion carried 7-0.

**EPICS (4904):** James Masterson moved, second by Will Patterson, to approve the additional appropriation request of \$65,000 into Professional Services. Motion carried 7-0.

**Bridge 108 – 7<sup>th</sup> Road (8119):** James Masterson moved, second by Will Patterson, to approve the additional appropriation request of \$240,000 into Preliminary Engineering. Motion carried 7-0.

**Solid Waste:** James Masterson moved, second by Will Patterson, to approve the additional appropriation request of \$60,000 into Hazardous Materials Specialist; \$25,000 into Warehouse Assistant; \$7,500 into Payroll Liabilities; \$7,500 into Retirement; \$17,000 into Personnel Liabilities; \$1,000 into Software; \$200 into Postage; \$2,500 into Communication; \$2,000 into Transportation; \$5,000 into Audit; \$5,000 into Utilities; \$3,300 into Equipment; \$10,000 into Electronics; and, \$4,000 into Education. Motion carried 7-0.

**TRANSFER OF APPROPRIATIONS ORDINANCE 2024-2(10):**

**General/Election Board (1000-062):** James Masterson moved, second by Will Patterson, to approve the transfer request of \$1,000 from Travel/Mileage into Office Supplies. Motion carried 7-0.

**General/Commissioners (1000-068):** James Masterson moved, second by Will Patterson, to approve the transfer request of \$345,000 from Bituminous into Contractual Services. Motion carried 7-0.

**MVH/MVH Restricted (1176/1173):** James Masterson moved, second by Will Patterson, to approve the transfer request of \$18,400 from MVH Bituminous into MVH Restricted Bituminous; and \$65,000 from MVH Wages-Area Leaders to MVH Restricted Wages-Area Leaders. Motion carried 7-0.

**Medical Benefits Self Insurance (4702):** James Masterson moved, second by Will Patterson, to approve the transfer request of \$220,000 from Kisx into Auxiant Weekly and \$200,000 from Auxiant-TrueRx Weekly into Auxiant Weekly. Motion carried 7-0.

**Minutes of September 12, 2024:** Will Patterson moved, second by Adam Faulstich, to approve the minutes of September 12, 2024 as presented. Motion carried 6-1, with Nicole Cox abstaining.

**Minutes of September 26, 2024:** Will Patterson moved, second by Jim Masterson, to approve the special meeting minutes of September 26, 2024 as presented. Motion carried 7-0.

**Culver Union Township Public Library Appointment:** Nicole Cox moved, second by Jim Masterson, to approve the appointment of Amanda Potter to the Culver Union Township Public Library to fill the unexpired term of Jennah Fairchild ending December 31, 2025. Motion carried 7-0.

Claims: Nicole Cox moved, second by Deb Johnson, to approve the submission of a Lebbin Law invoice in the amount of \$1,980. Motion carried 7-0.

2025 Meeting Schedule: Jim Masterson moved, second by Deb Johnson, to approve the 2025 Marshall County Council Meeting Schedule. Motion carried 7-0.

Ordinance 2024-20: Solid Waste 2025 Appropriations and Tax Rates: James Masterson moved, second by Tim Harman, to approve Ordinance 2024-20: Solid Waste 2025 Appropriations and Tax Rates as presented. Motion carried 7-0.

Ordinance 2024-22A: Adopting Marshall County Job Classification and Compensation Maintenance Plan Procedures: Adam Faulstich moved, second by Will Patterson, to approve Ordinance 2024-22A: Adopting Marshall County Job Classification and Compensation Maintenance Plan Procedures as presented. Motion carried 7-0.

Ordinance 2024-22B: Adopting Marshall County Descriptions: Nicole Cox moved, second by Deborah Johnson, to approve Ordinance 2024-22B: Adopting Marshall County Job Descriptions as presented. Motion carried 7-0.

Ordinance 2024-23 Marshall County 2025 Salary Ordinance: James Masterson moved, second by Nicole Cox, to approve Ordinance 2024-23 adopting the Marshall County 2025 Salary Ordinance as presented. Motion carried 7-0.

A recess was taken from 10:42 a.m. until 11:00 a.m.

### **MARSHALL COUNTY 2025 BUDGET DISCUSSION**

Commissioners: The total approved budget is \$5,532,070.

Drainage Board: The total budget approved is \$7,800.

Cumulative Capital Development (CCD): The total budget approved is \$1,134,490.

Medical Benefits Self Insurance: The total budget approved is \$3,299,114.

County IV-D Incentive: The total budget approved is \$4,500.

Building Maintenance: The total budget approved is \$674,482.

Human Resources: The total budget approved is \$103,655.

Highway: Sodium Chloride reduced to \$97,760; Stone, Gravel, Aggregates reduced to \$0; Paint reduced to \$40,000; Professional Services reduced to \$67,000; Subcontractor Services reduced to \$100,000; Community Crossings Matching Grant reduced to \$400,000; Repair Buildings & Structures reduced to \$3,000; Highway Equipment reduced to \$0; and Garage Equipment reduced to \$8,000. The total budget approved is \$5,423,576.

Cum Bridge: The total budget approved is \$2,604,473.

Local Roads and Streets: The total budget approved is \$962,000.

General - Sheriff: The total budget approved is \$2,953,622.

LIT Special Purpose: The total budget approved is \$6,410,305.

Extradition/Sheriff Assistance: The total budget approved is \$20,000.

Firearms Training: The total budget approved is \$30,000.

Misdemeanant-County Corrections: The total budget approved is \$104,000.

Sex/Violent Offender Administration: The total budget approved is \$7,700.

Statewide 911: The total budget approved is \$568,648.

Central Dispatch: The total budget approved is \$328,890.

K9 Program: The total budget approved is \$2,000.

DARE: The total budget approved is \$15,000.

DEA Forfeiture: The total budget approved is \$28,000.

Lake Enforcement DNR Grant: The total budget approved is \$65,000.  
Drug Free Community: The total budget approved is \$70,000.  
Clerk: The total budget approved is \$466,495.  
Voter Registration: The total budget approved is \$56,866.  
Election Board: Voting Equipment was reduced to \$0. The total budget approved is \$28,300.  
Clerks Records Perpetuation: The total budget approved is \$122,500.  
Clerk IV-D: The total budget approved is \$28,000.  
Park & Recreation Board: The total budget approved is \$28,000.  
Treasurer: The total budget approved is \$212,674.  
Recorder: The total budget approved is \$155,759.  
ID Security Program: The total budget approved is \$8,000.  
Surveyor: The total budget approved is \$236,617.  
Surveyor Corner Perpetuation: The total budget approved is \$53,364.  
Coroner: The total budget approved is \$187,250.  
LEPC: The total budget approved is \$22,988.  
Assessor: The total budget approved is \$194,178.  
Sales Disclosure-County Share: The total budget approved is \$7,800.  
Reassessment: The total budget approved is \$569,948.  
Prosecutor: The total budget approved is \$753,696.  
Pre-Trial Diversion: The total budget approved is \$180,338.  
Prosecutor IV-D: The total budget approved is \$21,570.  
DTF: The total budget approved is \$47,941.  
Extension: The total budget approved is \$287,222.  
Veterans Service Officer: The total budget approved is \$70,371.  
Plan Commission: The total budget approved is \$206,985.  
Board of Zoning Appeals (BZA): The total budget approved is \$7,700.  
Building Commission: The total budget approved is \$87,995.  
Unsafe Building: The total budget approved is \$85,000.  
Information Systems: The total budget approved is \$201,663.  
Museum: The total budget approved is \$163,557.  
Historical Society: The total budget approved is \$84,343.  
Superior Court #1: The total budget approved is \$374,830.  
Superior Court # 2: Judge Matthew Aldridge submitted a list of proposed reductions for consideration. Office Supplies reduced to \$3,500; Jury Meals reduced to \$500; Uniforms/Clothing reduced to \$500; Court Appointed Doctors reduced to \$3,000; Equipment Maintenance Contract reduced to \$1,000; Equipment Lease reduced to \$2,000; Travel/Mileage reduced to \$1,500; Dues & Subscriptions reduced to \$1,000; Office Equipment reduced to \$1,000; and Unified Law Library reduced to \$1,000. The total budget approved is \$545,474.  
Superior Court # 3: The total budget approved is \$269,477.  
PSC Drug Court: The total budget approved is \$5,000.  
Community Corrections: The total budget approved is \$362,802.  
Community Corrections-Prosecutor Pretrial Diversion: The total budget approved is \$61,964.  
Community Corrections-Problem Solving Court: The total budget approved is \$65,000.  
Community Corrections Project Income: The total budget approved is \$499,797.  
Community Transition Fund: The total budget approved is \$11,133.  
Circuit Court: The total budget approved is \$318,266.  
CASA: The total budget approved is \$62,350.  
Probation: The total budget approved is \$644,292.  
Supplemental Adult Probation: The total budget approved is \$217,035.  
Weights & Measures: The total budget approved is \$28,705.  
EMA: The total budget approved is \$82,925.

Soil & Water: The total budget approved is \$47,520.

Health: Professional Services reduced to \$5,000 and Unsafe Buildings reduced to \$200. The total budget approved is \$630,034.

Health First: The total budget approved is \$811,981.

Auditor: The total budget approved is \$406,538.

Plat Mapping: The total budget approved is \$40,668.

Auditor Ineligible: The total budget approved is \$31,000.

County Officials Training Fund: The total budget approved is \$25,000.

Council: The total budget approved is \$318,524.

The total General Fund approved budget is \$15,653,508; the total Special Fund approved budgets are \$25,133,252, with a total county budget approved of \$40,786,760.

**Ordinance 2024-21: Marshall County 2025 Appropriations and Tax Rates: Tim Harman moved, second by Nicole Cox, to approve Ordinance 2024-21: Marshall County 2025 Appropriations and Tax Rates as presented. Motion carried 7-0.**

**PUBLIC INPUT**

No public input was heard.

**ADJOURNMENT**

With no further business to come before the Council, **the meeting was adjourned at 11:39 a.m. upon motion by Adam Faulstich, second by Deb Johnson. Motion carried 7-0.**

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**Jesse Bohannon, President**

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**Tim Harman, Vice President**

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**James Masterson**

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**Deborah Johnson**

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**Nicole Cox**

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**Will Patterson**

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**Adam Faulstich**

**Attest:**

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**Angela C. Birchmeier, Auditor**