

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MEETING MINUTES
MAY 5, 2025**

The Board of Commissioners of Marshall County, Indiana, met for a regular meeting in the Commissioner's Meeting Room 203, 112 W. Jefferson Street, Plymouth, Indiana at 8:30 a.m., Monday, May 5, 2025. Present were Commissioners, Stan Klotz, President, Jesse Bohannon, Vice President, and Adam Faulstich, Member; County Attorney Sean Surrisi; as well as County Auditor, Angela C. Birchmeier. The meeting was opened, streamed live at <http://www.youtube.com/@MarshallCountyIN>, the Pledge of Allegiance was given, and the business at hand was heard.

The Commissioners introduced the new Plan Commission Director Nicholas Witwer and welcomed him to the County.

PUBLIC INPUT ON AGENDA ITEMS

No public input concerning agenda items was heard.

HIGHWAY DEPARTMENT

Bid Opening - Community Crossing 2025-01: Three bids were received and opened for the following four projects:

1. 3rd Road (2C Road), King Road to West Shore Drive
2. 16C Road, Redwood Road to Pear Road
3. 9th Road, Pioneer Drive to County Line Road
4. Nutmeg Meadows Drive, Entire subdivision loop, including entrances to Nutmeg Road

The three bids received were from E & B Paving, LLC in the total sum of \$2,052,783.80, Milestone Contractors in the total sum of \$1,916,209.80, and Rieth-Riley in the total sum of \$2,091,668.04.

Bid Opening – Additional Paving Projects: Three bids were received and opened for the following five projects:

1. King Road, Lincoln Highway to US 30 / 9A Road
2. Suter Road, 9th Road to 9A Road
3. 9th Road, Dead End to Richter Road
4. Quail Ridge Drive, 12th Road to Dead End
5. Kenilworth Road, railroad tracks to Dewey Street

The three bids received were from E & B Paving, LLC in the total sum of \$569,014.10, Milestone Contractors in the total sum of \$537,904.50, and Rieth-Riley in the total sum of \$578,270.10.

Due to Indiana Department of Transportation deadlines, the bids for Community Crossings will be reviewed by Superintendent Peters and Attorney Surrisi and recommendations for the award will be made at the end of today's meeting.

Adam Faulstich moved, second by Jesse Bohannon, to take the bids for the Community Crossings 2025-01 Projects and Additional Paving Projects under advisement. Motion carried 3-0.

Highway Department Superintendent Jason Peters presented 10 requests from BSM Groups on behalf of QC Communications for Comcast Cable for underground duct placement, fiber optic cable, vaults, and pedestals as follows:

1. Oak Road, between 1st Road and Tyler Road, in North Township.
2. 1st Road and Oak Road, between Pine Road and N. Michigan Street, in North Township.
3. W. 1A Road, between Oak Road and Walnut Street, in North Township.
4. Oak Road and 3rd Road, between US Highway 6 and 3rd Road, in North Township.
5. 3rd Road, between Olive Road and Nutmeg Road, in North Township.
6. Nutmeg Road and 3rd Street, between Oak Road and 4th Road, in North Township.
7. Pine Road, between 1st Road and US Highway 6, in North Township.
8. Pine Road, between 3rd Road and US Highway 6, in North Township.
9. Olive Road, between 3rd Road and W. 3B Road, in North Township.
10. 3B Road and Olive Road, in North Township.

Adam Faulstich moved, second by Jesse Bohannon, to approve 10 requests from BSM Groups on behalf of QC Communications for Comcast Cable for underground duct placement, fiber optic cable, vaults, and pedestals as presented. Motion carried 3-0.

Superintendent Peters presented 12 requests from BSM Groups on behalf of QC Communications for Comcast Cable for underground duct placement, fiber optic cable, vaults, and/or pedestals as follows:

1. N. Ule Trail, between Tyler Road and W. 1st Road, in Polk Township.
2. N. Thorn Road, between Tyler Road and W. 1st Road, in Polk Township.
3. N. Thorn Road, between US Highway 6 and W. 1st Road, in Polk Township.
4. W. 1C Road, between N. Union Road and N. Thorn Road, in Polk Township.
5. N. Union Road, between 1C Road and W. 1st Road, in Polk Township.
6. N. Union Road, between W. 3B Road and US Highway 6, in Polk Township.
7. W. 2A Road, between N. Tamarack Road and US Highway 6, in Polk Township.
8. N. Tamarack Road and W. 2A Road, between US Highway 6 and W. 2C Road, in Polk Township.
9. N. Rose Road, between US Highway 6 and W. 2B Road, in Polk Township.
10. N. Queen Road and US Highway 6, between W. 1st Road and US Highway 6, in Polk Township.
11. N. Quince Road, between US Highway 6 and W. 2B Road, in Polk Township.
12. W. 2B Road, between N. Quince Road and N. Sycamore Road, in Polk Township.

Jesse Bohannon moved, second by Adam Faulstich, to approve 12 requests from BSM Groups on behalf of QC Communications for Comcast Cable for underground duct placement, fiber optic cable, vaults, and/or pedestals as presented. Motion carried 3-0.

Superintendent Peters presented 21 requests from Legion Engineering on behalf of Zayo for the installation of the fiber optic cable as follows:

1. 13th Road, between State Road 17 and west of S. Rose Road, in West Township.
2. 13th Road, between S. Rose Road and 16501 13th Road, in West Township.
3. 13th Road, between 16501 13th Road and west of 15493 13th Road, in West Township.
4. 13th Road, between 15493 13th Road and 14544 13th Road, in West Township.
5. 13th Road, between 14544 13th Road and 13460 13th Road, in West Township.
6. 13th Road and Muckshaw Road, between 13460 13th Road and 13222 Muckshaw Road, in Center Township.
7. Muckshaw Road and 14th Road, between 13222 Muckshaw Road and S. Maple Road, in Center Township.
8. 14th Road, between S. Maple Road and 11985 14th Road, in Center Township.
9. 14th Road, between 11985 14th Road and Michigan Road, in Center Township.
10. 14th Road, starting 900' west of Michigan Road on 14th Road proceeding to 9905 14th Road, in Center Township.
11. 14th Road, between 9905 14th Road and S. Juniper Road, in Walnut Township.
12. 14th Road, between S. Juniper Road and 8998 14th Road, in Center/Walnut Township.
13. 14th Road, between 8300 14th Road and 7300 14th Road, in Center/Walnut Township.
14. 14th Road, between 7300 14th Road and 6667 14th Road, in Center/Walnut Township.
15. 14th Road, between 6667 14th Road and S. Filbert Road, in Bourbon/Walnut Township.
16. 14th Road, between S. Filbert Road and 4702 14th Road, in Bourbon Township.
17. 14th Road and S. Elm Road, between 4702 14th Road and 14B Road, in Bourbon Township.
18. S. Elm Road and 14B Road, between 14B Road and State Road 331, in Bourbon/Tippecanoe Township.
19. 14B Road, between State Road 331 and Cedar Road, in Tippecanoe Township.
20. 14B Road, between Cedar Road and 14B Road, in Tippecanoe Township.
21. 14B Road, between 14B Road and County Line Road, in Tippecanoe Township.

Superintendent Peters provided an update on the following projects:

Bridge 1, Ule Road (Local Project): No updates.

Bridge 232, Randolph Street: A progress report was provided for the work being completed by LaPorte Construction.

Ron Turley Associates, Inc. Software Agreement: Superintendent Peters clarified the initial cost is \$5,690 and the annual service fee is \$6,840.

Bridge 231, Center Street, Bremen: The letting date is 2027. A consulting party appeal has been made to change the historical bridge designation from “non-select” to “select”. The appeal is in review by the Indiana Department of Transportation’s Historic Bridge Specialist. The geotechnical field work is expected to occur in May. Once the final date(s) are determined, the Highway Department and the Town of Bremen will be notified. As a reminder, because of the historic process, the project has been pushed out to FY 2028 and has a new letting date of August 2027. Noting that July 1st starts the fiscal year for the State.

Bridge 88, 12th Road east of Olive Trail: The letting date is January 14, 2029. Discussion and design have begun for the preliminary relocation route.

Bridge 108, East 7th Road: The letting date is February 12, 2030. Geotechnical investigations will be completed this month.

Bridge Inspections 2022-2025 Phase II: The second quarterly report has been completed.

Bridge Inspections 2026-2029: The project has been assigned DES No. 2300183. The scoring has been completed. USI Consultants was the highest ranking firm. The LPA/Consultant Contract and negotiations with USI will begin and once completed, are sent to Indiana Department of Transportation for approval.

Mill Pond Dam Improvements: No updates.

Call for Projects (Notice of Funding Availability NOFA) – Highway Safety Improvement Program: HSIP Countywide Striping Initiative: The pavement striping kick-off meeting has been scheduled for May 8th.

HSIP Digital Speed Limit Trailer: No updates.

HSIP Safety Guardrail Installation: No updates.

Call for Projects (NOFA) – Linden Road: No updates.

Call for Projects (NOFA) – Michigan Road Bridge #2540: No updates.

Energy Efficiency Conservation Block Grant (EECBG): The Ford F-150 is in, and the purchase order submitted for approval in the amount of \$62,380. **Jesse Bohannon moved, second by Adam Faulstich, to approve the Bosak Ford purchase order for a 2025 Ford F-150 in the amount of \$62,380 and to allow the President to sign on behalf of the Board. Motion carried 3-0.**

Horse-Drawn Vehicle License Fees: No updates.

2025 Road Program: A progress report was presented.

Pothole Repair Machine: Maintenance on the pothole repair machine should be completed this week. Discussion was held concerning the purchase of a second pothole repair machine once the zipper machine is sold. Further discussion was held concerning the sale of equipment and placing the zipper machine on www.govdeals.com. **Jesse Bohannon moved, second by Adam Faulstich, to authorize the sale of the asphalt zipper with an appropriate market value minimum amount. Motion carried 3-0.**

Jesse Bohannon moved, second by Adam Faulstich, to authorize Superintendent Peters to attend the Council meeting to request a vote of support for a second pothole repair machine. Motion carried 3-0.

COUNCIL ON AGING

Marshall County Council on Aging Executive Director Janis Holiday presented the First Quarter 2025 claim and statistics. The quarterly expenses were \$130,977; total revenues of \$13,774 for net expenses of \$117,203. Invoice #1222 was presented for approval in the sum of \$73,601 with \$20,397 in CY2024 Section 5311 Federal Operating Funds, \$38,204 in CY2025 Section 5311 Federal Operating Funds, \$15,000 in 2025 State Operating Match Funds/Public Mass Transit Funds, and with a local match of \$43,602. There were 6,991 trips provided for a total of 53,104 miles. 272 requests were denied (82 in county and 190 out of the county). **Jesse Bohannon moved, second by Adam Faulstich, to approve the 2025 First Quarter Report and the claim submission under Invoice 1222. Motion carried 3-0.**

Director Holiday presented Invoice #1216 for approval in the sum of \$69,946.40 for a 2025 Chrysler Voyager. The invoice reflects \$59,454 for CY2025 Section 5339 Federal Capital Funds with a local match of \$10,492. **Adam Faulstich moved, second by Jesse Bohannon, to approve the submission under Invoice 1216. Motion carried 3-0.**

Director Holiday requested permission to apply for Section 5311/5339 Rural Public Transit, FTA/INDOT funding. She stated the Section 5311 operating budget for 2026 is \$678,838. The estimated revenue is \$57,000, federal share is \$310,919 and a local match of \$310,919, including the state share of \$57,707.

The grant application will also include a Section 5339 capital projects request for \$150,000 to purchase two replacement low-floor minivans. The grant is 85% federally funded (\$127,500) with a 15% match (\$22,500). All required matching funds will be secured by Marshall County Council on Aging. **Jesse Bohannon moved, second by Adam Faulstich, to approve Authorizing Resolution 2025-6: Resolution Authorizing the Filing of a CY2026 Application for a Grant under Section 5311/5339 of the Federal Transit Act, as amended and presented. Motion carried 3-0.**

HEALTH DEPARTMENT

The Health Department provided a Memorandum of Agreement with Marshall County Council on Aging and Marshall County Council on Aging Executive Director Janis Holiday explained that Council on Aging will provide transportation to clients of Marshall County Health Department within the operating parameters of Marshall County Council on Aging. Trips under five miles will be paid for by tokens pre-purchased as needed by the Health Department at a rate consistent with the public rate, currently \$2.50 per boarding. Trips over five miles and outside the city limits are billed monthly to the Health Department, the current cost per boarding is \$6 for 6-30 miles and \$11 for 31+ miles. **Jesse Bohannon moved, second by Adam Faulstich, to table the request until the next meeting. Motion carried 3-0.**

ASSESSOR'S OFFICE

Assessor Peter Paul presented the Geographic Information System – Pictometry Data Sharing Agreement between Marshall County and the Michiana Area Council of Governments (MACOG) for approval. He explained MACOG will provide 70% of the cost of Pictometry imagery to be flown in the Spring of 2025. The Assessor will provide funding in the total sum of \$51,959 with one-half payable on June 30, 2025 and the second half payable on June 30, 2026.

Adam Faulstich moved, second by Jesse Bohannon, to approve the Geographic Information System – Pictometry Data Sharing Agreement between Marshall County and the Michiana Area Council of Governments (MACOG) in the sum of \$51,959. Motion carried 3-0.

PROBATION DEPARTMENT

Assistant Chief Probation Officer Beth Schott explained the copier is ten years old and needs replaced. Two estimates for a copy machine were presented as follows:

- U.S. Business Systems / Kyocera TASKalfa MZ4000i / \$5,045. The service agreement is for monochrome 25,000 copies per billing cycle at a cost of \$0.0060 per page.
- Adams Remco / Toshiba 3528A / \$4,720. The service agreement is for black/white copies, excess rate of \$0.0057 per page.

Jesse Bohannon moved, second by Adam Faulstich, to approve the purchase of the Adams Remco Toshiba copier in the sum of \$4,720. Motion carried 3-0.

PRIORITY PROJECTS

Brent Martin of SRKM Architecture presented Change Order No. 2 for the Marshall County Owner Occupied Rehabilitation Project. He explained that Almac-Sotober had contracted to replace the chimney on Home #14, 1498 Oak Road. It was found that the roof was still leaking and discovered the chimney mortar needed to be rebuilt. The change order amount is \$5,625, which keeps the total project cost under the \$25,000 limit. **Jesse Bohannon moved, second by Adam Faulstich, to approve Almac-Sotober Change Order No. 2 in the sum of \$5,625 for Home #14. Motion carried 3-0.**

EMA

April 28, 2025 Emergency Disaster Declaration: **Adam Faulstich moved, second by Jesse Bohannon, to ratify the Disaster Emergency Declaration on April 28, 2025 expiring on May 5, 2025. Motion carried 3-0.**

EMA Director Jack Garner explained that the State enacted a release of funds and there is no longer an incentive to extend the Emergency Disaster Declaration.

ATTORNEY REPORT

Tower Contract: A Zoom meeting is scheduled with MD7 representative Marvin Robinson and the company's legal counsel for May 6th to discuss the terms of the draft legal documents regarding the communications tower at the jail property. It is hoped that the revised drafts will be prepared for the Commissioners' consideration at the next meeting.

AUDITOR REPORT

April 21, 2025 Minutes: **Jesse Bohannon moved, second by Adam Faulstich, to approve the April 21, 2025 minutes as presented. Motion carried 3-0.**

Payroll Claims: **Adam Faulstich moved, second by Jesse Bohannon, to approve the payroll claims as presented. Motion carried 3-0.**

Accounts Payable Claims: **Jesse Bohannon moved, second by Adam Faulstich, to approve the accounts payable claims as presented. Motion carried 3-0.**

PUBLIC COMMENT

No public comment was heard.

COMMISSIONER ITEMS

Annual Report Congressional Township and Common School Fund: **Jesse Bohannon moved, second by Adam Faulstich, to accept the Annual Report of the Board of Commissioners for the Fiscal Year Ending April 30, 2025 Congressional Township Fund and Common School Fund. Motion carried 3-0.**

Oliver Ford PrePay: **Jesse Bohannon moved, second by Adam Faulstich, to approve a prepay to Oliver Ford for the Maintenance Department truck. Motion carried 3-0.**

Ordinance 2025-14: An Ordinance of the Marshall County Board of Commissioners Regarding Electronic Data Processing Fees (Sheriff): The Sheriff requested an update to the current \$15 rate being charged for response to public records request requiring the collection and provision of electronic data to \$150 for full file materials; or \$30 base fee, which includes up to one hour of staff production time. All staff production times exceeding one hour shall be charged in \$30 per hour increments, not to exceed a total fee of \$150. **Jesse Bohannon moved, second by Adam Faulstich, to approve Ordinance 2025-14: An Ordinance of the Marshall County Board of Commissioners Regarding Electronic Data Processing Fees (Sheriff) on second and third reading. Motion carried 3-0.**

Ordinance 2025-15: An Ordinance of the Marshall County Board of Commissioners Regarding Public Defenders: Circuit Court Judge Janette Surrisi explained that participating in the Indiana Commission on Court Appointed Attorneys for public defense for indigent defendant/respondent, excluding misdemeanor cases, would cost more for public defense. The benefits other counties participating in the program include 16% lower jail population, 20% lower rate of recidivism, 50 days shorter time that children are removed from their home. **Jesse Bohannon moved, second by Adam Faulstich, to approve Ordinance 2025-15: An Ordinance of the Marshall County Board of Commissioners Regarding Public Defenders be approved on second and third reading. Motion carried 3-0.**

Moratorium Taskforce: **Jesse Bohannon moved, second by Adam Faulstich, to appoint Stan Klotz as the Commissioner Representative to the Moratorium Taskforce for Farm-Scale Solar Energy Systems, Utility Scale Battery Energy Storage Systems, Data Centers, and Carbon Capture. Motion carried 3-0.**

HIGHWAY DEPARTMENT - CONTINUED

Community Crossing 2025-01: Superintendent Peters stated the bids have been reviewed and requested the project be awarded to Milestone Contractors in the amount of \$1,916,209.80. **Jesse Bohannon moved, second by Adam Faulstich, to accept the Milestone Contractors bid in the amount of \$1,916,209.80. Motion carried 3-0.**

ADJOURNMENT

With no further business to come before the board **Jesse Bohannon moved, second by Adam Faulstich, to adjourn the meeting at 9:46 a.m. Motion carried 3-0.**

Stan Klotz, President

Jesse Bohannon, Vice President

ATTEST: _____
Angela C. Birchmeier, Auditor

Adam Faulstich, Member