

**MARSHALL COUNTY
BOARD OF COMMISSIONERS
MEETING MINUTES
NOVEMBER 3, 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, November 3, 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 streamed live at <http://www.youtube.com/@MarshallCountyIN>. The Pledge of Allegiance was said, the meeting was called to order, and the business at hand was heard.

SUPERIOR COURT I

Superior Court I Judge Tami Napier explained that the Marshall County Alternative Dispute Resolution Fund Plan has been submitted to the Judicial Conference of Indiana for approval and monetary request of \$25,000. If approved, the County will receive a one-time payment. She explained that Circuit and Superior Court I judges exercise jurisdiction over domestic relations and paternity cases. The purpose of the plan is to provide opportunities to litigants involved in dissolution of marriage, legal separation, and paternity cases. The goal is to offer conflicted litigants, either low-income or indigent, the means to deescalate their relationship, arrive at acceptable resolutions, have ownership of the outcomes, and provide a basis upon which to resolve later developing issues. The plan, if approved, will become effective with cases filed after January 1, 2026. The clerk shall collect an additional \$20 alternative dispute resolution fee and deposit with the auditor. There are five mediators who have agreed to participate at a reduced fee. The litigants fee will be based using a sliding fee scale.

PUBLIC INPUT ON AGENDA ITEMS

Laura Brockaway, 810 ½ Miner Street, Plymouth, provided input on a Second Amendment Resolution.

HIGHWAY DEPARTMENT

Highway Department Superintendent Jason Peters presented three (3) right-of-way cut and aerial requests from CNS Networks on behalf of Brightspeed for the purpose of placing anchors and fiber optic cables, as follows:

1. Permit No. 032490: On Hawthorn Road, between 5C Road and Hawthorn Road, in German Township.
2. Permit No. 032489: On Hawthorn Road, between 5th Road and Hawthorn Road, in German Township.
3. Permit No. 032492: On Hawthorn Road, between Plymouth-Goshen Trail and Hawthorn Road, in German Township.

Member Faulstich provided an update regarding conversations he has had with Brightspeed and recommended approving the three previously tabled items. **Jesse Bohannon moved, second by Adam Faulstich, to approve the three (3) right-of-way cut and aerial requests from Brightspeed, as presented. Motion carried 3-0.**

Superintendent Peters presented 12 road bore requests from CNS Networks on behalf of Brightspeed as follows:

1. Permit 035003: On E 11th Road, between E. 11th Road and Iris Road, in Center Township, for the purpose of placing underground conduit.
2. Permit 034997: On Lincoln Highway/Sunnyside Drive, between Lincoln Highway and Sunnyside Drive, in Center Township, for the purpose of placing aerial fiber optic cable and conduit.
3. Permit 035002: On Lincoln Highway, between Lincoln Highway and King Road, in Center Township, for the purpose of placing aerial fiber optic cable.
4. Permit 034999: On Lincoln Highway, between Lincoln Highway and King Road, in Center Township, for the purpose of placing aerial fiber optic cable.
5. Permit 034990: On Michigan Road, E. 11th Road, and Beth Street, between Michigan Road and Beth Street, in Center Township, for the purpose of upgrading fiber optic cable.
6. Permit 034991: On Ridgeview Drive, Red Bud Drive, and Sunset Court, between Ridgeview Drive and Red Bud Drive, in Center Township, for the purpose of placing conduit.
7. Permit 035374: On Lilac Road, between 7B Road and Lilac Road, in Center Township, for the purpose of aerial placement of fiber optic cable.
8. Permit 035372: On Plymouth-Goshen Trail, between US 30 and Plymouth-Goshen Trail, in Center Township, for the purpose of placing aerial fiber optic cable.
9. Permit 034987: On Michigan Road, between Michigan Road and 12th Road, in Center Township, for the purpose of placing conduit.
10. Permit 034992: On Quail Ridge Drive, between 12th Road and Michigan Road, in Center Township, for the purpose of installing conduit.
11. Permit 034998: On E. Lincoln Highway, between Sunnyside Drive and Beechwood Drive, in Center Township, for the purpose of installing fiber optic cable.
12. Permit 035383: On 6B Road, between S. Juniper Road and King Road, in Center Township, for the purpose of placing aerial fiber optic cable.

Adam Faulstich moved, second by Jesse Bohannon, to approve the 12 road bore requests from CNS Networks on behalf of Brightspeed, as presented. Motion carried 3-0.

Superintendent Peters presented three (3) road surface cuts, road bore, and right-of-way cut requests from BSM Groups on behalf of QC Communications for Comcast Cable Communications Management, LLC, for the purpose of placing underground duct and fiber optic cables, as follows:

1. Permit 25-00486-20: On 1st Road, between Pine Road and N. Michigan Road, in North Township.
2. Permit 25-00486-20: On 1st Road, between Pine Road and Oak Road, in North Township.
3. Permit 25-424344: At 18757 7th Road, in West Township.

Jesse Bohannon moved, second by Adam Faulstich, to approve the three road surface cuts, road bore, and right-of-way cut requests from BSM Groups, as presented. Motion carried 3-0.

Superintendent Peters presented a road surface and right-of-way cut request from Northern Indiana Public Service Company (NIPSCO), under Order #4000089144, on 8A Road, between S. Jarrah Road and Iris Road, in Center Township, for the purpose of replacing a station. **Jesse Bohannon moved, second by Adam Faulstich, to approve the road surface and right-of-way cut request from NIPSCO, as presented. Motion carried 3-0.**

Superintendent Peters provided an update on the following projects:

Bridge 1, Ule Road (Local Project): The piles for bent one and test piles for bent two have been driven. The form for both bents will be built, reinforcing steel assembled, and tied for both bents. If the weather permits, both bents will be poured.

Bridge 232, Randolph Street: An inspection walk through is scheduled for November 10th.

Bridge 87, 11th Road: Des No. 1702839. No update.

Bridge 231, Center Street, Bremen: No update.

Bridge 88, 12th Road east of Olive Trail: The date of letting is January 14, 2029. Utility coordination letters have been sent out for relocation, if needed.

Bridge 108, East 7th Road: The date of letting is February 12, 2030. No update.

Bridge Inspections 2022-2025 Phase II: No update.

Bridge Inspections 2026-2029: DES No. 2300183. No updates.

Mill Pond Dam Improvements: No updates

Energy Efficiency Conservation Block Grant (EECBG): A meeting was held on October 27th with Martell Electric and the grant manager. Martell was to have completed an itemized invoice and submitted the final documents for close-out by Friday. The documents have not been received.

HSIP Countywide Striping Initiative: DES No. 2401543. An agreement is being drafted.

Vialytics: Data has been collected on about 200 miles of road and the average rating is 6 to 6.5.

2025 Road Program: Subdivision work has been completed. The crew is working on cleaning equipment for winter storage and preparing equipment for winter weather. An additional appropriation request was submitted to Council for the purchase of stone, gravel, and aggregates this year to stockpile for next year.

Community Crossings 2025-01: Working on closing out the project.

Community Crossings 2026-01: The application has been submitted.

RQAW: Superintendent Peters requested permission to work with RQAW on an On-Call Agreement for an intersection improvement study for US 31 corridor changes, located at S. Michigan Road and Dewey Street. **Jesse Bohannon moved, second by Adam Faulstich, to empower the Highway Superintendent to seek an on-call service agreement with RQAW. Motion carried 3-0.**

SHERIFF DEPARTMENT

Sheriff Matt Hassel presented a request for two employees to travel to Washington DC from March 15, 2026 through March 18th to attend the Central Square Conference. **Jesse Bohannon moved, second by Adam Faulstich, to allow two employees to travel to Washington DC from March 15th through March 18th to attend the Central Square Conference. Motion carried 3-0.**

Communication Supervisor Zach McGuigan and Motorola Solutions Representative Janyll Stierwalt presented the need for an upgrade to the handheld radios. The most recent study by Ritter indicated that there are dead spots within the county. The new multiple band radio is estimated to cost \$155,000 for 21 radios. **Jesse Bohannon moved, second by Adam Faulstich, to offer a favorable recommendation to the Council for an additional appropriation request. Motion carried 3-0.**

Captain Jeff Snyder explained that estimates were received from Oliver Ford and Bremen Auto Park for three Ford Utility Police Interceptors and one Ford F150 Police Interceptor. The prices were very comparable, with Oliver Ford being \$1,046 less than Bremen Auto Park. **Adam Faulstich moved, second by Jesse Bohannon, to approve the purchase of four police vehicles from Oliver Ford in the total sum of \$176,871. Motion carried 3-0.**

PURDUE EXTENSION

Purdue Extension Agriculture & Natural Resources Educator Brianna Slonaker presented the Extension Contractual Services Agreement between Purdue University and Marshall County, in the amount of \$136,660 for calendar year 2026. **Jesse Bohannon moved, second by Adam Faulstich, to approve the Extension Contractual Services Agreement, as presented. Motion carried 3-0.**

Educator Slonaker extended an invitation to the members to attend the Marshall County Extension Board Annual Dinner on Thursday, November 6th at 6:00 p.m. at the Wesleyan Church.

VETERANS SERVICE

Veterans Service Officer Pam Schweizer-Betz provided a report for the current year. She highlighted the number of interviews and applications. She detailed the application process and difficulties faced due to the governmental shutdown. She expressed the need for a part-time clerical assistant.

PROBATION DEPARTMENT

Chief Probation Officer Andrea Turnage presented the 2026 Pretrial Services Grant Agreement. The county was awarded \$147,158 for calendar year 2026. She explained the grant provides for two full-time employees, benefits, and training. **Jesse Bohannon moved, second by Adam Faulstich, to ratify the 2026 Pretrial Services Grant Agreement, as presented. Motion carried 3-0.**

DON NUNEMAKER

Don Nunemaker presented the Board with a 2024 Tax Study of all the units of Marshall County. The report highlighted beginning cash balance, receipts, disbursements, year-end cash balance, and the amount of gain and/or loss.

Mr. Nunemaker also proposed that Marshall County become a second amendment sanctuary county. Vice President Bohannon stated that he is in favor of moving this proposal forward for consideration at the next meeting.

AGENDA ADJUSTMENT

Jesse Bohannon moved, second by Adam Faulstich, to adjust the agenda and allow Council President Tim Harman to speak following the City of Plymouth. Motion carried 3-0.

CITY OF PLYMOUTH

Plymouth Fire Department Chief Steve Holm presented a request from the Public Safety Grant Program, Annual Support, in the amount of \$50,000. He explained that the city has purchased 15 800 MHz mobile radios for the total sum of \$57,154.20. **Jesse Bohannon moved, second by Adam Faulstich, to approve the request for grant funds, as presented. Motion carried 3-0.**

MARSHALL COUNTY COUNCIL

Council President Tim Harman informed the Board that the Indiana Department of Environmental Management (IDEM) issued a Dissolution of the Marshall County Regional Sewer District. They have 30 days to seek an appeal. Discussion was held concerning the possible repayment of debt.

ATTORNEY REPORT

Attorney Surrisi discussed the process for judicial review of IDEM's dissolution order. He advised that such an appeal of an agency decision could be filed with a trial court. Such an appeal would be between the sewer district and IDEM, but the County would have the opportunity to intervene. After the trial court's decision, subsequent appeal to the Indiana Court of Appeals and Supreme Court could be a possibility. However, he noted that in his opinion, any appeal would be unreasonable and groundless. I.C. 13-26-6-4 allows IDEM to dissolve a sewer district for one of two alternative reasons: 1) if the project or operation of the district "is not economically feasible, fair, or reasonable"; or 2) if "the district fails to file a plan for the operation of the district within the time prescribed by the department". Here, IDEM found that dissolution of the district was appropriate for both reasons. An analysis of whether or not something is "economically feasible, fair, or reasonable" is subjective. Yet, the standard of review that the trial court applies when reviewing any agency decision is very deferential to the agency. Also, he noted that the independent ground supporting the dissolution order, that the district failed to submit a modified plan by the deadline set by IDEM is an objective standard. The sewer district plainly failed to timely submit a modified plan, a fact they would not be able to overcome on appeal. That failure alone legally justifies IDEM's decision to dissolve the district. It remains his hope that the sewer district will not seek judicial review and that the pending litigation against Thomas McFadden could be voluntarily dismissed. He noted that he would reach out to the sewer district's lawyers to discuss next steps.

AUDITOR REPORT

October 20, 2025 Minutes: Jesse Bohannon moved, second by Adam Faulstich, to approve the October 20, 2025 minutes as presented. Motion carried 3-0.

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

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

PUBLIC COMMENT

Bill Woodward, 12094 Peach Road, Plymouth, provided input on the Regional Sewer District.

COMMISSIONER ITEMS

Weights & Measures Trailer Purchase: Weights & Measures Inspector Jerry Huss requested permission to purchase a pull behind trailer that holds three 300-gallon tanks. Inspector Huss explained the process for certifying fuel at the local gas stations and the physical wear and tear on a body. **Jesse Bohannon moved, second by Adam Faulstich, to provide a favorable recommendation and send to Council for a fiduciary commitment. Motion carried 3-0.**

Surveyor Vehicle: President Klotz explained that money has been allotted in the 2026 budget for the Surveyor's Office to purchase a new vehicle. **Jesse Bohannon moved, second by Adam Faulstich, to allow the Surveyor to seek estimates for a new vehicle. Motion carried 3-0.**

OCRA Grant: President Klotz explained that Shannon McLeod of Priority Projects is now working with BakerTilly. Discussion was held concerning the next round of Owner Occupied Housing grant opportunities.

Public Safety Grant: President Klotz suggested earmarking a portion of the 2026 Public Safety Grant dollars for law enforcement. He discussed the need of the Prosecutor to hire investigators to aid in the building of cases.

Opioid Funds: Vice President Bohannon stated that he has reached out to Steve Dalton concerning the use of opioid funds. They will be holding a budget/finance meeting next week.

Vice President Bohannon offered two items for consideration: warnings related to the COVID vaccines and renewal of the FLOCK contract.

ADJOURNMENT

With no further business to come before the board, **Adam Faulstich moved, second by Jesse Bohannon, to adjourn the meeting at 10:33 a.m. Motion carried 3-0.**

Stan Klotz, President

Jesse Bohannon, Vice President

ATTEST: _____
Angela C. Birchmeier, Auditor

Adam Faulstich, Member