OWEN COUNTY BOARD OF COMMISSIONERS
MINUTES August 20, 2026 @ 6:00 P.M.
2nd Floor of the Courthouse Commissioner's Room
Live Streamed on YouTube-Owen County Government

Call to order and opening prayer

- Opening Pledge of Allegiance and Prayer were given.
- Meeting called to order by Commissioner Hobbs.
- Present: Commissioner Sam Hobbs, Commissioner David Risk and Commissioner Norman Warner.
- Auditor Sheila Reeves, Attorney Tony Overholt

Scholarship Presentation

- Presenters' AIC Executive Director David Bottorff and Zac Hughes President of SRI Inc awarded a Scholarship to Sadie Neff a 2026 Graduate of Owen Valley Highschool, Sadie is attending Classes at IU the daughter of Councilman Anton Neff, his wife Shannon. The scholarship is available for Indiana County employees throughout the state.

Meeting Procedures

- Meeting changes: every 2nd and 4th Tuesday @ 6:30 PM, effective in 09/08/2026, motion by Hobbs second by Warner 3/0 approved.
- Existing Resolution governing meeting days will be amended.
- Remarks must be made from the designated speaking area so they can be recorded.
- Hobbs apologized for having been rude in the prior meeting, rude behavior and outbursts would not be tolerated by the Board of Commissioners or the Public.
- Members of the public would be recognized for their allotted three minutes, only agenda items will be addressed shouting or speaking from the rear of the room would result in one warning, followed by removal.

Approval of Minutes

- Motion by Warner and second by Risk Approve to approve the August 6, 2026, Commissioner meeting minutes as presented 3/0 approved.

Financial report

- Auditor Sheila Reeves distributed updated financial reports reflecting funds recently received from the State. She advised that balances in major funds, including the Highway and General funds, were consequently higher.
- County officials were preparing current figures for the budget hearings scheduled to begin the following Wednesday at 8:00 a.m.

OLD BUSINESS

Data Center Ordinance Review

- Commissioner Warner reported that he had spoken with Heather Huntington of the Plan Commission following her recent training. The County Attorney and Plan Commission counsel advised that either a proposed moratorium or a proposed permanent restriction must first be reviewed by the Plan Commission and returned to the Commissioners before final action. Failure to follow the required process could leave the measure unenforceable.

- Commissioner Warner had reviewed two proposal he favored careful review over rushing a legally vulnerable document.
- Huntington explained that a moratorium may be adopted to temporarily pause development while the County researches and prepares appropriate ordinance changes. Officials referenced a recent Marion County action and discussed information gathered at training and from other Indiana counties.
- Council member Polly Chesser described concerns that the Indiana General Assembly might again consider legislation limiting local authority over data centers. House Bill 1333 had passed the House but failed in the Senate during the prior session; portions were said to have been incorporated into other legislation effective December 31. Residents were urged to follow the coming legislative session closely.
- Commissioners stated that any local action must anticipate possible State preemption and must be drafted without loopholes.
- Discussion identified several potential ordinance subjects: water withdrawals and residential wells; wastewater disposal; energy demand; continuous noise; land-use compatibility; protection of farmland; and preservation of local control.
- Huntington offered to meet with the Commissioners and share detailed regulatory ideas that could make a data center impractical without imposing a simple categorical ban. The previously discussed water ordinance was also identified as an important unfinished item.

Public comments included the following:

- Jeff Marks supported prompt Plan Commission review and noted that Monroe County's extensive land-use ordinance prohibited data centers across use categories. He supported an interim approach that prevents an applicant from exploiting an undefined term or other loophole while the County develops a complete policy.
- Judy Morris favored a permanent ban and urged immediate transparency. She cautioned against nondisclosure agreements and raised concerns about industrial water use, dry or low-pressure residential wells, farmland loss, and long-term food and water needs. She cited an Indiana development where residents reportedly experienced water problems.
- Jill Hudson (a newly appointed and sworn in member to the PTABOA Board) urged the County not to continue delaying action. She stated that other Indiana counties had adopted bans and referenced an NDA presented during a Town of Spencer RFP process. She welcomed the Commissioners' statements that they would not conceal negotiations from the public.
- Hudson asked whether the County faced a specific deadline. Officials explained that no company had approached the County and no fixed local deadline existed, but public concern had created urgency. She supported a ban unless and until the County later decided otherwise.
- Bill Breeden supported a ban and asked that future meetings likely to draw a large audience be moved to the courtroom.
- Another speaker cautioned that a categorical ban might encourage State preemption and recommended detailed performance and land-use standards that would protect the County while avoiding a direct conflict with possible State legislation.
- All three Commissioners stated that they would not sign a nondisclosure agreement that concealed data-center negotiations from County taxpayers.
- Hobbs stated no data-center business or developer had approached him, and the other Commissioners likewise reported no approach. Hobbs corrected an earlier reference from the RDC to the EDC and distinguished general economic-development work from any data-center proposal.
- Hobbs reported that approximately 87 County-owned acres on North Franklin Road had been surveyed and were being appraised. Approximately 60 to 65 acres may be usable. The County

intends to seek industrial zoning through the Plan Commission to support existing small businesses or other appropriate developments, not a data center—and return taxable property to the tax rolls.
- The old jail property and four storage units are also being appraised. A two-page inventory of other County-owned parcels; the County Attorney would help determine whether unneeded parcels could be sold to generate revenue toward the anticipated $38 million jail project
- The Board concluded that more research and Plan Commission review were required. No formal action was taken on either the moratorium or proposed ban.

Claims
- The Board returned to payroll and claims, which had inadvertently been passed over earlier. The amounts read into the record were:
- Payroll $337,534.09
- Regular claims $238,113.35
- Out-of-Cycle Claims $154,377.08
- Total $730,024.52.
- Motion by Warner and seconded by Risk approved payroll and claims totaling $730,024.52 as presented. 3/0 approved.

NEW BUSINESS

Owen County Building Corporation — New Jail
- The County Attorney explained that the County must establish a building corporation for the new jail. The Board of Commissioners appoints three members. The corporation will remain in existence throughout the life of the jail debt and will oversee matters related to that debt until it is fully paid.
- Commissioners and, preferably, Council members should not serve so that the Corporation includes as few current County decision-makers as practical.
- Motion by Hobbs to adopt Resolution 2026-009 approving incorporation of the Owen County Building Corporation and related matters, with three members to be appointed by the Board of Commissioners, second by Risk 3/0 approved.
- Appointments will be announced and approved in a public meeting. One previously contacted individual remained willing to serve; two additional candidates were needed. Council members and community members were invited to recommend qualified candidates. The Board requested that appointments be ready for the next meeting.
- The County Attorney also presented a petition requiring signatures and addresses from 50 Owen County taxpayers before jail financing could proceed. There was no specific immediate deadline, but completion was needed before financing. The petition was circulated during the meeting.

Apple Butter Festival Special Event Application
- The Board reviewed the annual Apple Butter Festival special-event application submitted by the Spencer Lions Club motion by Hobbs second by Risk 3/0 approved

Planning and Zoning
- **Ordinance 2026-007 — Martin Wagler / Community Ballfield**
- Martin Wagler requested rezoning of property on Denmark Road from Agricultural to Institutional so the parcel could be transferred to the school/community organization and used for a baseball field. The parcel is across from the school and will be owned with the school property after the split is completed. The Plan Commission recommended approval by a 6–0 vote.
- Motion by Hobbs to adopt Ordinance No. 2026-007, rezoning the Martin Wagler property from Agricultural to Institutional for the community school baseball field. The original motion was

amended to state the ordinance number and complete legal action and signed by Hobbs. Second by Risk 3/0 approved.

- **Ordinance 2026-008 — Daniel and Emily Wisley**
- Daniel and Emily Wisley requested rezoning of 2.42 acres split from a larger farm parcel from Agricultural to Residential for construction of a residence. Staff explained that a parcel under five acres could not remain agriculturally zoned. Only the 2.42-acre tract was included. The Plan Commission recommended approval by a 6–0 vote. The original motion was amended to add the ordinance number.
- Motion by Warner, to adopt Ordinance No. 2026-008, rezoning the identified 2.42-acre tract owned by Daniel and Emily Wisley from Agricultural to Residential, second by Risk 3/0 approved.
- **Ordinance 2026-009 — Brett and Cheryl Franklin**
- Brett and Cheryl Franklin requested rezoning of property at 1569 River Road from Agricultural to Single-Family Residential. The Plan Commission recommended approval by a 6–0 vote.
- Motion by Hobbs to adopt Ordinance No. 2026-009, rezoning the Brett and Cheryl Franklin property at 1569 River Road from Agricultural to Single-Family Residential. Second by Risk 3/0 approved.

Highway Department Report

- **Storm Response, Sign Theft, and Road-Closure Mapping**
- Highway Superintendent Chad Walker reported that storm and flood cleanup was progressing. Numerous road-closure barricades, folding signs, high-water signs, and stop signs had been stolen or moved. Replacement purchases were approximately $3,500 to $3,800. Stop-sign theft created immediate safety and liability concern, and inventory was nearly depleted. Staff were researching inexpensive GPS-type tracking tags or stickers for signs and equipment.
- The Highway Department was using the WTH/GIS mapping system to post trees down, flooded roads, overnight closures, and other road conditions. The public was encouraged to consult the map. Contractors notify the Highway Department of closures, and the Department then contacts the school transportation director and other affected parties. A recent school-bus notification had been sent but was not seen in time.
- Residents were asked not to move signs, bypass barricades, cut locks, or drive around County Line Road flood gates. A driver had gone through a field to bypass the north gate. The Department would evaluate relocating or reinforcing the gates so they could not be circumvented.

Maintenance, Bridges, FEMA Reimbursement, and Surplus Equipment

- Crews continued pothole patching but had lost time to storm debris and asphalt-supply delays. Cloverdale's plant was temporarily unavailable, while the Bloomington round trip took approximately two hours and fifteen minutes. During the delay, crews cleaned culverts and performed other work. Contractor work on Sherfield Road was complete, and pipe replacement was underway on Macville Road.
- Obtain replacement estimates for the deteriorating Hubble Station Road bridge, where a major washout and failing wing walls were reported, and for the wooden Thompson Road bridge.
- Update the price for the proposed box culvert on Rattlesnake Road because the prior FEMA-era quote is likely outdated.
- Continue pursuing State and Federal storm reimbursement. Approximately $143,000 had been received; staff believed additional checks totaling roughly $250,000 were being processed, substantially less than originally anticipated.
- Superintendent Walker submitted a list of broken or uneconomical equipment for surplus. The County Attorney will prepare a resolution for Board review. Two problematic Kenworth/high-water dump trucks were discussed separately; because emissions-system repairs continued to fail, trade-in value toward a replacement snowplow truck might exceed auction value. Staff

would investigate the best return before adding them to a surplus action. The Board also directed staff to retrieve a truck that had remained unrepaired at Hunter's and consider it for the surplus list.

Road-Paving Bid Awards

- The Board opened and compared bids from Milestone, Tucker Paving, LLC, and E&B Paving for Macville, Sherfield, Howard, and Hyden Roads. The following awards were made individually:
- Motion by Hobbs to award the Hyden Road paving project to Tucker Paving, LLC, for $43,543.20 second by Risk 3/0 approved.
- Motion by Hobbs to award the Howard Road paving project to E&B Paving for $48,515.00 second by Risk 3/0 approved.
- Motion by Hobbs to award the Macville Road paving project to E&B Paving for $222,069.75 second by Risk 3/0 approved.
- Motion by Hobbs to award the Sherfield Road paving project to E&B Paving for $110,856.25 second by Risk 3/0 approved.

Culvert Pipe Purchase and Highway Funding

- Superintendent Walker requested approximately twenty 18-inch pipes and twenty 24-inch pipes, the sizes used most frequently for road culverts. The quoted total was $38,251.20. Some sizes were available locally, while a complete order could require approximately four weeks. The Board directed Walker to order available pipe immediately and obtain the remainder as quickly as possible.
- Officials reviewed the Highway budget history. The operating budget remained around $3.8 million despite substantial increases in fuel, asphalt, tires, equipment, and labor costs. A prior request for an additional $4 million had been reduced by the State by approximately $600,000 because of low cash balances at the June 30 review date; the Council later restored that reduction. Current cash balances had been maintained at more than $1 million in relevant funds so the same reason could not be used again. The Board stated that a minimum Highway budget near $7 million was needed to support ditching, culverts, paving, chip-and-seal work, and equipment replacement. No action was taken during this discussion.

2027 CCMG Candidate Roads and Culvert Work

- The Board developed a broad candidate list for the 2027 Community Crossings Matching Grant. Officials explained that CCMG applies to roads shown as hard surface in the County inventory, is capped at approximately $1.5 million, and generally uses an 80/20 match, with the State paying up to $1 million. At current prices, $1.5 million would pave only about eight miles before County ditching and culvert costs. Staff were directed to obtain quotes and later reduce the list to the projects that fit available funding.
- Candidate paved-road projects discussed included Quincy Road, Front Street, Clark Road, Millgrove Road, the unfinished portion of Jones Road, Graham Road if eligible as hard surface, Mount Zion Road, North and South Byerly Roads, Smithville Road, Braysville Road, State Ferry Road, White Road from Little Flock to the Monroe County line, Franklin Road from State Road 43 to the Monroe County line, Baker School Road, Bush Road from New Hope to the Greene County line, Jones Road from Smith to Culross, Hyden Road, Hubble Station Road, Coal City Road, and Rocky Hill Road. Rocky Hill may need to be divided into sections because its length alone could exceed available CCMG funding.
- Separate chip-and-seal candidates included Fertig Road, Dam Road, Six Mile Road, Bucklew Road, Oak Grove Road, Hickory Road, and Hudson Hill Road. Staff were asked to verify hard-surface eligibility and exact road names and termini when preparing quotes.
- Culvert and drainage review was requested on Baker School, Franklin, White, State Ferry, Braysville, Vilas, Jones, Clark, Quincy, Millgrove, Graham, and other roads identified by each

Commissioner. Jones Road between Smith and Colossus has a persistent wet-low spot; Clark Road between Texas Pike and Rocky Hill lacks adequate ditches; and Graham Road requires larger culverts, drainage work, and a solution to sediment washing from an adjoining cultivated hillside.

Keeler Road Water Hauling Agreement

- Jill Hudson asked whether the company hauling spring water from Keeler Road had agreed to maintain the road and bridge it was affecting. The Board recalled that the original agreement addressed road and bridge responsibility, while the company had more recently offered paving in exchange for weekend hauling privileges. Existing records would be delivered to Hudson for review, and the Board would contact the company again. No formal action was taken.

Drainage, Utilities, Right-of-Way, and Bridge Enforcement

- Officials discussed sediment washing from farm fields into Graham Road ditches and culverts. The County Attorney would research whether right-of-way authority, Soil and Water conservation requirements, best-management-practice funding, or reimbursement from the landowner could be used. The Board indicated that Graham Road culverts should be upgraded to twenty-four inches. A nearby pond overflow also contributes water to the roadside ditch; DNR had not identified an available remedy.
- Ditching on Hyden Road was restricted by shallow fiber, telephone, and electrical utilities in the ditch. Only utilities may relocate their facilities, but staff would investigate burial-depth requirements, possible 811 involvement, and whether the companies could be required to lower lines that do not meet standards. Excavated stone and soil left on a Hyden Road bank also needed to be removed so it would not be washed back into the new culvert.
- At the Tower Road bridge, vehicles substantially exceeding the three-ton limit were reportedly crossing and repeatedly striking or removing height-restriction signs. Superintendent Walker was directed to contact the Sheriff's Office for enforcement assistance.

Department Heads, Elected Officials, And Public Comment

- Public comments were limited to agenda subjects. An email from Dodie and Phillip Sheffield had already been received and answered by Commissioners, so it was not read aloud.
- A Council member thanked the Commissioners, Superintendent Walker, and Highway employees for the Hyden Road drainage work and paving award. Walker explained that the opposite side could not be fully ditched because of the hillside, trees, and utility limitations; drainage outlets had been created at three low locations. Scheduling with the awarded contractor remained to be confirmed.
- Anderson Road erosion near the bottom of the hill also required riprap or another measure. The water company was preparing to work in the area; the County would coordinate interim and final erosion control around that work.

Veterans Affairs Office Hours

- Commissioner Warner proposed temporarily increasing the Veterans Affairs Office to full-time hours through December 31 and then reevaluating workload. State requirements and benefit percentages have already changed three times, with at least one additional change expected. Veterans were making repeat visits, arriving after the part-time office had closed, and sometimes traveling long distances or arranging special transportation. Owen County was reported to have 1,652 veterans. Auditor staff were retaining files so affected veterans could be recalled when State requirements were finalized.
- The proposal was seconded, but discussion established that the County Council must approve the additional hours and any necessary appropriation. The employee reportedly could waive County health benefits and retain VA coverage, which might limit cost to added hours. Auditor Reeves would calculate the remaining nine payrolls and determine whether additional money and advertising were required.

- Motion to temporarily increase the Veterans Affairs Office to full-time hours through the end of 2026, subject to later reevaluation, second by Risk during discussion.
- During the conversation before a vote, the proposal could first be presented to the County Council. No Commissioner action was taken.

Highway Additional Appropriation Requests

- With two Council members present, the Board previewed three $500,000 Highway-related additional appropriation requests, totaling $1.5 million, for the Council's Wednesday meeting. The transcript identifies Fund 1176, Fund 1173, and Local Road and Street. Reported balances were approximately $1,074,292 in Fund 1176, $1,889,795 in Fund 1173, and $1,016,697 in Local Road and Street, with additional distributions expected before year-end. The appropriations were needed to complete road, culvert, and drainage projects while retaining adequate year-end cash balances. These were requests for upcoming Council action; no Commissioner vote was taken.

Pottersville Road / Paradise Point Drainage

- A citizen reported that mud had filled the culvert entrance near Paradise Point on Pottersville Road. He had used his tractor bucket to reopen drainage, but the uphill ditch remained filled, and erosion was threatening the new pavement farther down the hill. Superintendent Walker agreed to inspect the location the following week.

Personnel Policies and Executive Session

- Auditor Reeves distributed copies of County personnel policies and requested an executive session to address several issues requiring timely attention. Budget hearings prevented action the following week. The Commissioners were asked to identify a date during the first week of September at 6:30 p.m. or later, excluding Monday. No specific executive-session date was fixed during the meeting.

Adjournment

- There being no further business, a motion was made by Hobbs to adjourn. The meeting was adjourned.