

BOSWELL TOWN MEETING – MINUTES  
LOCATION: AT THE COMMUNITY CENTER  
May 15, 2018 @ 6PM

108A EAST MAIN ST ~ P.O. BOX 617 BOSWELL, IN 47921 ~ PHONE: 765-869-5951 ~ FAX: 765-869-4542  
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COUNCIL MEMBER: Joy Rountree, Jake Foster, Kyle Brost  
CLERK-TREASURER – Donna E. Musenbrock  
WATER & STREET SUPERINTENDENT: Jim Turner  
WASTEWATER SUPERINTENDENT: Travis Barrett  
MARSHAL: Kevin McComb

**Attendees:**

Council Members – Joy Rountree, Jake Foster, Kyle Brost  
Clerk-Treasurer – Donna Musenbrock, Deputy Clerk - Tracy Lang  
Town Employees – Jake Martin, Travis Barrett  
Marshal – Kevin McComb

David Buck	Jud Barce	John Edgerly	Nancy VanWyck	James Peer
Doyle Flynn	Marci Burton	Paul Jackson	Ryan Gillen	Elaine Flynn
Danny Little	Dan Web	Matt Washburn	Jim Dwenger	Sue Bowers
Donna Allen	Steve Allen	Karen Gillen	Mark Grogan	Damon Martin
Domingo Arredendo	Mike Brody	Cheryl Slavens	Steve Cox	Kathy McFall
Paul Tolen	Bob Bowers			

Council President Brost Opened Meeting

Approve Minutes from the following meeting: Town Meeting 4.10.18 & Special Meeting 4.17.18 & Special Meeting 4.20.18 Council Member Rountree motioned with Council Member Foster Second, all in favor.

Cesare with Cyber Broadcasting along with Paul Jackson, Benton County Economic Developer. Cesare presented a new internet service that his company would like to bring to Boswell. They would have a live local technician available, 24 hour tech support, and a local tower allowing better quality with fewer interruptions. Rates are higher than AT&T. Cesare will be getting back with Donna later in the week.

Dan Webb associated with Barnhart. Inc. a rigging company spoke with council seeking written permission to use old US 41 to transport cranes/equipment. They specialize in crane rentals for the wind farms. Councilmember Foster motioned to grant the request with Councilmember Rountree second, all in favor.

David Buck, BF&S Engineer, gave an update on the road resurfacing project. Jim and Jake will be digging to uncover the depth of the storm drain. David presented the Reith and Riely authorization packet to be signed by the council. He requested it to be scanned and emailed to him. They will be starting the project June 4<sup>th</sup>, with completion date June 29<sup>th</sup> with final payment due in July. Donna updated council; we did receive the INDOT money and an appropriation needed to be approved to continue with the project. . Councilmember Rountree motioned to approve the appropriation, Councilmember Foster second, all in favor.

Attorney Jud Barce along with the Storm Water Board held their public hearing. Michael Brody reiterated that the storm water fee will be assessed by the parcel. Patrons will be charged the following fee as follows: 0-1 acre will be assessed \$7.50 per month, parcels that are over an acre but under 5 acres will be charged: \$10.00 per month, parcels over 5 acres will be charged \$12.50 per month. Revenue from the Storm Water Fee will be designated only to that fund. Town will be paying on their parcels as well. Several patrons spoke on the matter with their concerns. Michael Brody motioned to close the public hearing and Domingo Arredendo second. The Storm Water Board passed the topic to the Town Council for the ordinance to be adopted. . Councilmember Foster motioned to adopt the ordinance 2018-0515 with town non-exempt, Councilmember Rountree second, all in favor.

Attorney Jud Barce revised the police ordinance. Barce read the revision ordinance which eliminated all wording of “reserve officers” and marshal hours were set along with signing in/out with county dispatcher. . Councilmember Rountree motioned to accept ordinance 2018-0515A, Councilmember Foster second, all in favor.

Attorney Jud Barce revised the animal ordinance. He clarified the definition of a vicious animal. Vicious includes any animal that attacks/threatens any other animal or human. If such vicious animal is within the city limits, the owner will be asked to remove the animal from town. . Councilmember Rountree motioned to accept the revised ordinance 2018-0515B, Councilmember Foster second, all in favor.

Paul Tolen of Boswell Trade Center attended meeting to ask council to clarify waterworks. Since the Water Project, patrons have to pay the minimum water and sewer charges to help pay back the bond. However, Tolen would like council to wave that fee for those who tear down structures and cap off the water and sewer to eliminate future utility fees. Council discussed and agreed that any parcel that has a structure with or without a meter and has water and sewer hook ups will be responsible to pay the monthly utility bill. Those with no structure and capped off water and sewer would not be responsible for monthly utility bill, however, this rule doesn't apply for the Storm drainage fee. All property owners will have to pay accordingly as to what is stated in Ordinance 2018-0515. Council stated that an application needs to be put in place in order to tear down any structures with the request of capping off the water and sewer for documentation.

**Police Department-Kevin McComb**

- Councilmember Jake Foster introduced new Marshal Kevin McComb

**Fire Department - Chief Ryan Gillen**

- Everything is going well

**Water – Jim Turner- Absent**

- Jake Martin spoke on behalf of Jim. Been working on repairing pot holes, cleaning streets, mowing, preparing to dig up South Street for road project, and still trying to finish up the new well project to get it up and running.

**Waste Water - Travis Barrett**

- Everything has been running smooth at the plant, been coming in and help the guys with streets
- Travis presented to the board drawings of new decals for the town trucks, Councilmember Foster motioned to purchase the decals with Councilmember Rountree second
- Matt Hull got back with Travis on cleaning the storm drains; we should see him Thursday or Friday of next week.

**Park Board – Jake Martin**

- Have been busy with streets
- Presented quote for repairs on the gazebos. Lights do not work, roofing needs replaced, and railing is missing. Council agreed to table to next month.

**New Business**

- Dwenger Excavating, Jim Dwenger and Steven Cox, stated they will not be replacing the drainage to the Gillen ditch but will be laying another 24" tile parallel to the existing one. They will also be dredging railroad outlet. Steven Cox also spoke on possibly furthering the tile over onto Dimmich's land, through the vacant lot on North Street and up to 352 to help pass the North end water through faster.
- Ortman - Submitting approval for Change Order #5, Council President would like to have a conference call with Attorney Jud Barce, Donna and Dave Buck of BF&S Engineering. Documents will be submitted to Dave to review prior of phone conference to help us respond to Ortman. Barce is looking into possibly liquidation damages.
- Ortman - Submitting approval for Punch List-Council President stated he would do the final walk thru with Jim Turner when the project is completed with a notice of a day.
- Fire Pit Burning - Council did not have a problem in dimensions of fire pit as long as clean wood is being burnt. No burn piles of furniture, house hold construction material or tires. Must be reasonably contained or the Marshal will request it to be put out.
- Boswell Chase Grain - Tax Abatement Forms, Councilmember Rountree motioned to accept to sign the forms with Councilmember Foster second
- Ground Hog Problem – Town President Brost stated town cannot continue to afford to purchase traps that are not being returned. If patrons want to put a \$60 dollar deposit down, then we may look into it. Otherwise, ground hogs are like other animals, each owner is responsible of trapping and removing the critter.

**Old Business**

- Town Wide Garage Sale: June 2<sup>nd</sup>
- Town Wide Clean Up: June 9<sup>th</sup>

**Hearing for Disconnects****APV'S Approved**

**Next Meeting: Tuesday, June 12<sup>th</sup>, 2018**

**Meeting adjourned**

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Kyle Brost, President

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Donna Musenbrock, Clerk-Treasurer