

Benton County Commission
September 14, 2026

Convene

Presiding Commissioner Steve Daleske called the meeting of the Benton County Commission to order at 9:00 a.m. on Monday, September 14, 2026, in the County Commission Room. Attendance: Larry Berry, Present; Scott Harms, Present; and Steve Daleske, Present.

Approval of Prior Minutes

District 1 Commissioner Larry Berry made the motion to approve prior minutes dated September 8, 2026. District 2 Commissioner Scott Harms seconded the motion. The motion passed by vote: Larry Berry (Yes), Scott Harms (Yes), and Steve Daleske (Yes).

David Malecki

David Malecki is present at today's meeting.

Jeff Sims and Visitors

Jeff Sims spoke to Commissioners about several issues. He made a motion that minutes be recorded. Rosa Valentine stated that the county website is inaccurate and should be updated. Presiding Commissioner Daleske stated he will reach out to IT about this. Sims then brought up planning and zoning, stating he has reached out to several people, and has found out that cities have planning and zoning and the county should establish it too. He stated that a variance could be enacted to start a committee, so that everyone knows what's going on, be pro-active in this situation and asked that a special election be called and made a motion to be proactive in the subject of a planning and zoning committee. He recommends mayors and county commissioners be on the committee and has names of citizens who have agreed to serve on an advisory committee. Presiding Commissioner Daleske stated that citizens can establish such a committee, but it must be outside of the Commission, per statute.

An individual went to Marshfield to learn how they handled their data center. There is a video available online, but it was indicated that the video might not be totally indicative as to how this data center works; it was stated that road noise drowned out any sound from the data center.

Commissioners were questioned if they have/had signed an NDA (non-disclosure agreement). Commissioners each answered no.

The fish hatchery was discussed, and the question was asked if it was currently closed. Commissioner Daleske answered yes, the Conservation Department did close the hatchery, to reach out to schools for educational programs.

Visitors in attendance were Nancy Steward, Ava Aabak, David Banks, Pat Banks, Jamie Warne, Bernie Drexel, Pat Luttrell, Eddie Timm, Steve Warne, Cynthia O'Dell, Cynthia Smith, Rosa Valentine, Sharon Guess, Peggy Crabtree-Berry, and Rich Chiles. Visitors come and go at will, and several did not stay for the entire meeting.

Budget Amendment

County Clerk Susan Porterfield submitted information for the budget amendment. Sheriff Eric Knox and E-911 Director Brenda Hilburn will be contacted with questions pertaining to certain funds.

Benton County Economic Development

Benton County Economic Development Director Jo Ann Lane met with Commissioners to present her monthly report of economic development efforts within the County. Rosa Valentine questioned Mrs. Lane about her knowledge of a data center, and if she had ever met with Trent Overhue about a data center. Mrs. Lane responded that this subject is under litigation, and she is not at liberty to discuss anything about the data center. Furthermore, a big part of her job is confidentiality, as certain business aspects must remain confidential while companies evaluate communities, properties, and other factors.

Visitors

Other visitors are now present, including Sharon Eldridge, Rita Legg, Patty Richardson, Jan Bundy, Sam Alexander, Liza White, Herbert Robertson, Renee Robertson, Kat Tye, Michelle McLerran, Tori Barclay, Matt Barclay, Baron Pennington, Sr., Logan Samson, Brian Cris, and Richard Sloan.

Fuel Bids

District 1 Commissioner Larry Berry made the motion to accept the bid for diesel fuel for Road District #1 from Warsaw Oil Company at a cost of \$4.385 per gallon; District 2 Commissioner Scott Harms seconded the motion. The motion passed by vote: Larry Berry (Yes), Scott Harms (Yes), and Steve Daleske (Yes). Other bids were received from Zollicker Oil Company at a cost of \$4.995 per gallon, and from MFA Oil Company at a cost of \$4.61 per gallon; the County accepted the low bid price.

District 1 Commissioner Larry Berry made the motion to accept the bid for unleaded gasoline for Road District #1 from Warsaw Oil Company at a cost of \$2.96 per gallon; District 2 Commissioner Scott Harms seconded the motion. The motion passed by vote: Larry Berry (Yes), Scott Harms (Yes), and Steve Daleske (Yes). Other bids were received from Zollicker Oil Company at a cost of \$3.725 per gallon, and from MFA Oil Company at a cost of \$3.72 per gallon; the County accepted the low bid price.

Budget Amendment

The budget amendment was discussed; Presiding Commissioner Daleske stated that he has received answers from Sheriff Knox and 911 Director Hilburn, that satisfy questions pertaining to their funds. District 1 Commissioner Larry Berry made the motion to accept the budget amendment as presented. District 2 Commissioner Scott Harms seconded the motion. The motion passed by vote: Larry Berry (Yes), Scott Harms (Yes), and Steve Daleske (Yes).

Kris Franken

Kris Franken met with Commissioners and presented a copy of an ordinance, stating that this ordinance has stopped all data center discussion in Camden County, and that the regulations contained in this ordinance have all the power that Commissioners need to stop data centers from coming to Benton County. He also indicated that Commissioners should exert some control over the situation and have a violation order in place in case a company does not comply with the ordinance. He also stated to visitors that they should work with their Commissioners, as there is no easy answer to this situation.

Rosa Valentine

Rosa Valentine stated that she has established a website outlining all information she has obtained about data centers. She also stated that the agenda that is posted for Commission meetings is hard to understand and is not posted accurately on the website.

Warsaw Chamber of Commerce

Warsaw Chamber of Commerce representative Dee Dee Hunter met with Commissioners to indicate that the Chamber intends to purchase a Christmas tree and would like to be able to place it on the corner of the Courthouse square. More information will be forthcoming.

Executive Session

At 1:15 p.m., District 1 Commissioner Larry Berry made the motion to go to Executive Session pursuant to RSMo 610.021.1 Legal actions, causes of action or litigation involving a public governmental body. District 2 Commissioner Scott Harms seconded the motion. The motion passed by vote: Larry Berry (Yes), Scott Harms (Yes), and Steve Daleske (Yes).

At 2:35 p.m., District 2 Commissioner Scott Harms made the motion to reconvene in regular session, District 1 Commissioner Larry Berry seconded the motion. The motion passed by vote: Larry Berry (Yes), Scott Harms (Yes), and Steve Daleske.

Visitors are Now Present at the meeting. Presiding Commissioner Daleske read a statement, indicating that the Commissioner's decision is to stand behind the moratorium that is in place, and to retain current legal counsel for ongoing litigation in this matter.

County Clerk Report

The County Clerk presented monthly tax abatements for approval and signature. Bills were submitted for approval and payment.

Consultant Services

Commissioners discussed an Agreement for Consulting Services that has been received from Aaron McVicker on behalf of McClure Engineering pertaining to the Missouri Regional Bridge Program (BRO) for calendar year 2026. District 1 Commissioner Larry Berry made the motion to enter into this agreement with McClure Engineering for consulting services in this matter, District 2 Commissioner Scott Harms seconded the motion. The motion passed by vote: Larry Berry (Yes), Scott Harms (Yes), and Steve Daleske (Yes).

Adjourn

District 2 Commissioner Scott Harms ordered that the Commission adjourn until September 21, 2026; District 1 Commissioner Larry Berry seconded the motion. The motion passed by vote: Larry Berry (Yes) and Scott Harms (Yes). Meeting adjourned at 3 p.m.

Signature

Steve Daleske
Presiding Commissioner