

REGULAR MEETING
CLARK COUNTY BOARD OF COMMISSIONERS
February 15th, 2024

The Board of County Commissioners of Clark County, Indiana met in Regular Session on February 15th, 2024, at 5:00 p.m. in Room 103, Clark County Government Building, in Jeffersonville, Indiana.

Present at the meeting were Commissioners – Bryan Glover, Connie Sellers and Jack Coffman, County Attorney R. Scott Lewis, Auditor Danny Yost, and Commissioners’ Assistant Sabrina Corbin.

The Pledge of Allegiance was led by Bryan Glover. Prayer was led by Commissioner Jack Coffman.

Approval of the Minutes

Commissioner Coffman made a motion to approve the February 1st, 2024 Regular Meeting Minutes. Commissioner Sellers seconded. Motion approved 3-0.

Auditor Danny Yost presented the claims and payroll for February 15th, 2024. Commissioner Sellers motioned to approve the claims and payroll. Commissioner Coffman seconded. Motion approved 3-0.

Commissioner Glover asked for any amendments to the agenda. There was one amendment. The amendment is a request from the Plan Commission to add Plan Commission Resolution 3-2024. Motion by Commissioner Coffman to approve the agenda as amended. Commissioner Sellers seconded. Motion approved 3-0.

I. Public Comments:

James R. McClure Jr. – James asked the Commissioners if they agree that Ordinance 15-2017 should be open for review. The language might be subject to a constitutional challenge. James stated “I don’t want to go through a long litany of Constitutional cases and the vulgarities that are associated with them in public. We as a County should seriously consider what the Constitutional vulnerabilities that this County could face by placing restrictions on public speech. I don’t want to have to go through Court cases and repeat vulgar items in public if I don’t have to.

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They are considered as acceptable comments in public. I believe that the phrasing in Ordinance 15-2017 violates accepted Constitutional decisions by the Supreme Court. I will not stand for any Constitutional scrutiny. If someone were to sue for these restrictions, it could possibly place the County into financial vulnerability. I am concerned about this as a Citizen, a Veteran who was sworn in to protect the rights of my fellow Americans, and as a Taxpayer.” James would like to talk about this matter further with the Commissioners and thanked the Commissioners for their time.

Kelly Khuri – Kelly asked the Commissioners if they had ever considered putting the time clock for public comment on display for the speaker to see. The Commissioners had discussed this issue recently and are looking for a solution to get that implemented. Kelly also asked Danny Yost if there was any way to digitalize Claims and Payroll in order for the public to see before every meeting. Kelly also voiced her concerns on the time restrictions placed on public comment. Sometimes the three minutes for public comment does not allow her to get an answer for all of her questions. Commissioner Glover commented that all of the Commissioners phone numbers and emails are posted on the County website. We would be happy to set up an appointment with you. Kelly thanked the Commissioners for their time.

II. New Business:

- A. Commissioner Glover presented a Petition to Vacate Public Way.**
Commissioner Glover opened a public hearing.

Jason Copperwaite with Paul Primavera & Associates is here representing the applicant. The request is to vacate a portion of Deerfield Station. Located just northwest of the Memphis exit on Memphis-Bluelick Road. In 2007, the replat of Deerfield subdivision dedicated the right-of-way for this road. The physical road was not constructed at that time and the bond if ever in place has since expired. His clients purchased the property with the intent to develop and constructed a roadway at their expense. They thought that they were building a private drive that could possibly be dedicated to the County at some point in the future. They built the road in accordance with County standards. Two apartment buildings were constructed between storage units and Deerfield Station. The North building was constructed wrongly due to errors between

communication with the consultant which made parking around the building difficult. The South building has no issues. The clients have pursued a replat to remove the right-of-way of Deerfield Station. The Plan Commission tabled the request for the replat for them to seek a vacation petition hearing before the County Commissioners. The clients have offered a commitment that supported the replat with provisions ensuring that someone will be on the hook to maintain the road.

Michael Guthrie spoke against – Michael has been involved with development of the Deerfield subdivision. He would prefer to see the public access kept where its at. His concerns with the road are that twenty or thirty years later when the owners are potentially gone, will the new owner live up to the agreement on the road? He also stated his concern that the parking will be dangerous situation by backing out on the road. He suggested an angled parking with a variance from the Plan Commission, not a vacation.

Don Guthrie also spoke against – Don was the person who sold them their property. They unfortunately misplaced their building and they knew that the road accesses the development. The area around the road is starting to grow and I believe they may have to put a stoplight in at some point. If they make half of those parking spots where they are back-in only, I believe they wouldn't need a variance. Don thanked the Commissioners for his time.

Mike Dalton spoke for the petition– Mike is one of the owners of the apartment. When we bought the property, it was presented to us that his son would put in the road at a discounted price. The County Engineer Brian Dixon and Mike spoke and Mike perceived that if it was lined up with Crone Road, the County would eventually take it over. Mike built the road up to County Standard because of this. When the road was built, we thought the County would put the topcoat on as well.

Commissioner Glover closed the public hearing.

Motion by Commissioner Coffman to table the Petition to Vacate Public Way. Seconded by Commissioner Sellers. Motion approved 3-0.

- B. Commissioner Glover presented Ordinance 7-2024. Commissioner Glover opened a public hearing.**

Nathan Poindexter – Nathan recently purchased nine and a half acres with the purpose of building a single-family home. The property is zoned M1 because it was used for a dump. He is here asking to change the zoning from M1 to AG. Nathan thanked the Commissioners for their time and consideration.

Cathy Denison – There was a misunderstanding with the builder when he applied. They thought as soon as it was approved by the Plan Commission, they could go right in and get the permits. They have work scheduled on Monday and in order for that to get done it needs to be approved tonight.

Commissioner Glover closed the public hearing.

Motion by Commissioner Coffman to approve Ordinance 7-2024 upon a unanimous favorable recommendation by the Clark County Plan Commission. Seconded by Commissioner Sellers. Motion approved 3-0.

- C. LeeAnne Howe presented the Anthem Insurance Administration Services Agreement. The benefit year has already begun. The agreement is effective 1/1/2024-12/31/2024. We have saved \$140,000.00 in administrative credits. The broker consultant fee is lower than most competitors. Motion by Commissioner Sellers to approve the Anthem Insurance Administration Services Agreement. Seconded by Commissioner Coffman. Motion approved 3-0.**
- D. LeeAnne Howe presented the LOW Associates – Advanced Time Contract for Human Resources. The Council did appropriate the funding for this at their last meeting. This implementation includes forty users which are managers above the employees. It provides an accurate time-checking system and provides the County with a checks and balances system. LeeAnne would like to have it implemented by June 1st, 2024. The total cost of the system is an initial up-front fee of \$47,300.00. The current estimated monthly cost that is dependent upon the number of employees is \$1,200.00. Motion by Commissioners Coffman to approve the LOW Associates – Advanced Time Contract for**

Human Resources. Seconded by Commissioner Coffman. Motion approved 3-0.

- E. County Attorney R. Scott Lewis presented the TowerPinkster – AML Pay Application for Judicial Center. This is an application certificate for payment number eight for the Judicial Center. The payment for the work completed is \$136,312.61. Motion by Commissioner Sellers to approve the TowerPinkster – AML Pay Application for Judicial Center. Seconded by Commissioner Coffman. Motion approved 3-0.
- F. County Attorney R. Scott Lewis presented the TowerPinkster – AML Interior Renovations Change Order for Judicial Center. This is change order number two and is a reduction of \$67,383.00 of unused contingency funds. Motion by Commissioner Coffman to approve the TowerPinkster – AML Interior Renovations Change Order for Judicial Center. Seconded by Commissioner Sellers. Motion approved 3-0.
- G. County Attorney R. Scott Lewis presented the TowerPinkster – Certificate of Substantial Completion for Judicial Center. The date of substantial completion was on February 2nd, 2024. The cost estimated of work to be corrected on the punch list items are \$15,000.00. Motion by Commissioner Sellers to accept the TowerPinkster – Certificate of Substantial Completion for Judicial Center. Seconded by Commissioner Coffman. Motion approved 3-0.
- H. County Attorney R. Scott Lewis presented the Amended County Bridge Inspection Contracts. We required a cycle of bridge inspections with INDOT. We approved USI consultants for the period of 2024-2027. INDOT wanted to separate 2024 from 2025-2027 as two different contracts with separate phases. County Engineer Brian Dixon noted that there were administrative issues that did not allow them to get the 2024-2027 contract in a timely fashion. They separated the year due to time constraints with the inspection of 2024 due in March. The County and INDOT could possibly lose funding from bridge inspections in the future without an authorization to proceed. The total cost for phase 1 2024 is \$155,212.24. The cost for the amended LPA consulting contract for 2025-2027 is \$152,674.63. Motion by Commissioner Sellers to

approve the Amended County Bridge Inspection Consultants contracts with USI. Seconded by Commissioner Coffman. Motion approved 3-0.

- I. County Attorney. R Scott Lewis presented Landfill Slurry Wall Construction Contract. GeoSolutions was the low bidder originally but they are not able to comply with the bid speculations. The other bidder was DeWind One Pass Trenching. The total cost of the contract with DeWind One Pass Trenching is \$2,635,200.00. Motion by Commissioner Coffman to approve the Landfill Slurry Wall Construction Contract with DeWind One Pass Trenching. Seconded by Commissioner Sellers. Motion approved 3-0.
- J. Commissioner Glover presented the 2024 Commissioner Appointments. The appointments are listed as attached. Motion by Commissioner Coffman to approve the 2024 Commissioner Appointments as listed. Seconded by Commissioner Sellers. Motion to approve 3-0.

III. Old Business: None.

IV. Reports:

A. Auditor: None.

B. Attorney: None.

C. Highway Department: None

D. Sheriff: The current jail population is 422, 51 are Federal inmates.

E. Elected Officials & Department Heads: None.

V. Other Business: None.

VI. Public Comments: None.

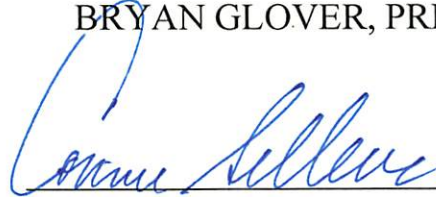
VII. Adjournment: Commissioner Glover entertained the motion to adjourn. Commissioner Sellers motioned to adjourn. Commissioner Coffman seconded. Motion approved 3-0.

February 15th, 2024

BOARD OF COMMISSIONERS OF
CLARK COUNTY, INDIANA



BRYAN GLOVER, PRESIDENT



CONNIE SELLERS, VICE PRESIDENT



JACK COFFMAN, MEMBER

SIGNED THIS DAY 2-29-24

ATTEST: _____



DANNY YOST, CLARK COUNTY AUDITOR

February 15th, 2024

Confirmed Appointments for 2024

Animal Disease Co Ordinator- Mike Ettel

Board of Zoning Appeals – Guy Guernsey and Kim Baker

Clark Floyd Convention & Tourism Bureau – Jim Book

Emergency Management Advisory Council – Jack Coffman

KIPDA – Jack Coffman

Property Tax Assessment Board – Pat Glotzback and Susan Riley

River Hills Economic Development District – Perry Smith and Michael Killen

Work One – Jack Coffman

Automatic Appointments

ADA Compliance Officer – Scott Lewis

911 Fiscal Board – Bryan Glover

IOSHA – Tim Cochran

Redevlopment Commission – Connie Sellers, Bryan Glover and Jack Coffman

Solid Waste Management District – Connie Sellers, Bryan Glover and Jack Coffman