

REGULAR MEETING
CLARK COUNTY BOARD OF COMMISSIONERS

July 7th 2022

The Board of County Commissioners of Clark County, Indiana met in Regular Session on July 7th, 2022, at 5 p.m. in Meeting Chambers, Room 103, Clark County Government Center, in Jeffersonville, Indiana.

Present at the meeting were Commissioners – Bryan Glover, Connie Sellers, and Jack Coffman, County Attorney Scott Lewis, Clark County Engineer Brian Dixon, and Auditor Danny Yost.

Pledge of Allegiance was led by Butch Love and the prayer was led by Jack Coffman.

Approval of the Minutes

Commissioner Coffman made a motion to approve the June 23rd, 2022, Regular Meeting Minutes, as presented. Commissioner Sellers seconded. Motion approved 3-0.

Auditor Danny Yost presented the claims and payroll. Commissioner Sellers motioned to approve the claims and payroll, as presented by the Auditor. Commissioner Coffman seconded. Motion approved 3-0.

Commissioner Glover asked if there were any amendments to the agenda. Attorney Lewis presented two additions to the agenda, those being: 1) Contract Agreement with MAC Construction for the County Bridge 145 project; and 2) Utility Agreement with REMC, also related to the Bridge 145 project. After a brief discussion, Commissioner Coffman motioned to amend the agenda to include Contract Agreement with MAC Construction, and Utility Agreement with REMC, under Reports - Attorney. Commissioner Sellers seconded. Motion approved 3-0.

I. Public Comment:

Matt Owen, New Chapel EMS, provided an update to his May 26th, 2022 presentation. Mr. Owen said that on May 26th there were 24 EMS members seeking initial or higher levels of certifications. Since that time 9 have

finished their advanced certification courses, the equivalent of 2300 manhours of additional training, which represents approximately \$18,000. EMS can now provide additional lifesaving interventions, additional medication administration in the field, and a huge benefit to the call volume handled in Clark County. Mr. Owen said he was incredibly proud of these individuals and their accomplishments. He said today, in a two-hour window, EMS received 17 calls for service, a big influx, and not always expected. The men and women in the field today answered every call. Mr. Owen thanked the Commissioners for their support and welcomed any questions. Commissioner Glover asked with regard to the certifications, what is the retention rate, are we keeping the employees we trained. Mr. Owen responded that there is a much higher retention rate, which he attributes to EMS's focus on higher certification levels over the past 18 months.

As per the Sign-in-Sheet, next was Jacob Hornung. Ron Kruer said that Mr. Hornung was tied up in traffic. Commissioner Glover requested Mr. Kruer to take the podium and provide his name and address. Ron Kruer of 21219 Cabin Hill Road, Borden, Indiana, was here to speak against the speed limit change from 15 to 30 mph on Cabin Hill Road. Mr. Kruer said he had spoken with Brian Dixon, County Engineer, who said since Starlight Farms was never a planned subdivision, the speed limit can not be 15 mph, and was never posted as such. Mr. Dixon said he was contacted by Mr. Coffman (Commissioner), and he made the decision to change the sign. Mr. Coffman said he was contacted about the discrepancy of the signs one-way showing speed limit 15, and the other way speed limit 30. Mr. Kruer said having lived on Cabin Hill for 27 years, he is here to testify the speed limit has always been 15, until last week. Mr. Kruer provided photos of the signs, roadway, and google maps that shows the posted speed of 15. Mr. Kruer requested the other two Commissioners to have a discussion on the matter, and to take into consideration the safety of the residents who exercise; ride bikes; cross country runners; school busses; and families of small children. He invited the Commissioners to travel the road at 30 mph and imagine UPS or FedEx trucks coming toward them at 30 mph. He thanked the Commissioners for their time. Commissioner Glover asked if there was anything else. Mr. Kruer added that the road leading to Cabin Hill is posted at 30; then on Cabin Hill the speed is posted at 15, then 30. All probably within 50 feet. Commissioner Glover thanked Mr. Kruer and said the matter would be taken under consideration.

Jacob Hornung, 21218 Old Township Road, Borden, Indiana spoke next. Mr. Hornung was present to address the speed limit signs on Cabin Hill Road. His wife has lived on Cabin Hill her entire life, he purchased property there in 2016, and the speed limit has always been 15 mph. He said the road is quite curvy with woods and vegetation on both sides, and lots of blind spots, which makes it very unsafe to drive fast. Lots of families, including his, enjoy walking, running, biking, or simply enjoying the weather along the roadway. All of which were concerns and why he supported the stop sign installation earlier this year at Cabin Hill and Old Township. Although some comply with the new stop signs, many do not. Speed continues to be an issue, and some residents drive way too fast, with several near misses. So much so, the Sheriff's office has spoken with the neighborhood and reminded everyone the speed limit is 15, and they need to slow down. Mr. Hornung said he, and others, believe someone in the neighborhood took it upon themselves to put up the Speed Limit 30 sign at the bottom of the hill. Therefore, conflicting signs now exist, which creates a state of confusion. Upon further investigation, he noted the Speed 15 sign had County Stickers on the back side, where as the Speed 30 did not. He also had satellite photos from Google Earth which did not show the Speed 30 sign. He presented other items documenting the Speed 15 sign. He said the Commissioners supported the stop sign installation, and should now support the Speed 15. If not, it is a matter of time before someone is hurt. He asked the Commissioners to please lower the speed limit. Mr. Hornung provided duplicates of all photos/maps. Commissioner Glover asked if he needed these returned. Mr. Hornung responded no, as they were saved on this phone. Commissioner Glover said these would be retained in the Commission meeting records.

II. New Business

- A. Karen Goodwell, Director of Human Resources, presented the Humana Summary of Benefits & Coverage Documents and Humana New Case Document. Karen said she, Carolyn Steward of Assured Partners, and Kim James, point of contact with Humana, had all reviewed the document. The Humana New Case Document is essentially an Annual Renewal for the medical plan. The only true difference from prior agreements, was a clause/new law called "No Surprise Billing". She needs the Commissioners to approve and authorize the Board President to sign the agreement. Attorney

Lewis noted the agreement is actually 94 pages, and to save paper, only the signature page was printed (2 copies). The effective date is August 1, 2022 through July 31, 2023. Commissioner Sellers made a motion to approve the Humana New Case Document (2022-2023) as presented, and to authorize Bryan Glover, President, to sign. Commissioner Coffman seconded. Motion approved 3-0.

Attorney Lewis said there was another set of documents, Humana Summary of Benefits & Coverage Documents (SBCs). Karen said these documents are required to be provided to all new employees, and annually to all employees. The information identifies such things as premiums and deductibles, for the county's three medical plans (1500, 2500, and EHDHP). Commissioner Sellers made a motion to approve the SBCs document (2022-2023), as presented. Commissioner Coffman seconded. Motion approved 3-0.

- B.** Attorney Lewis presented the Town of Clarksville – Cancellation of Property Taxes. He said there is a statutory procedure for this, which occurs when a government entity, such as Clark County, has imminent domain for various road projects, or other government projects, to acquire real estate (obtains ownership), and one year later has tax payments due on the property (for example, Indiana property is assessed one year and payment due the next (for example, assessment 2021 payable 2022). However, governmental entities are tax exempt. The procedure includes the County Auditor, Treasurer, and Assessor signing a petition. The second step is for the County Commissioners to approve and execute an Order for cancellation of any property taxes, etc. assessed against the entity owned real estate. Commissioner Coffman motioned to approve and execute the Town of Clarksville – Cancellation of Property Taxes documents. Commissioner Sellers seconded. Motion approved 3-0.
- C.** Attorney Lewis presented Resolution – INDOT Acquisition of County Road Right-of-Way (R-O-W) (No. 3-2022), which had been previously discussed at a Department Head meeting. The Indiana Department of Transportation (INDOT) has a road rehab project for a portion of U.S. 31 and South Indiana Avenue in Sellersburg. The first step is for INDOT to make an acquisition offer for the R-O-W. If the offer is turned down, then INDOT will follow the Imminent Domain process. INDOT has made an offer, with appraisal, in the amount \$13,840, which includes the permanent and temporary R-O-W. INDOT requires a resolution that accepts the offer and authorizes the Board of Commissioners President to execute all necessary documents to facilitate the

transfer. Commissioner Sellers motioned to approve Resolution No. 3-2022, Authorizing Acceptance of INDOT Acquisition of County Road Right-of-Way, in the amount of \$13,840, and authorization for Board President (Bryan Glover) to execute all necessary acquisition documents. Commissioner Coffman seconded. Motion approved 3-0.

- D.** County Attorney Lewis, presented the Preliminary Engineering Agreement – Charlestown Pike Railroad Crossing. The County has been working on designing the Charlestown Pike improvements. As part of the project, there is a CSX railroad crossing, and CSX requires that there is a preliminary engineering agreement executed with CSX for the improvement aspect of the cross-over at the tracks. The estimated amount is \$15,895. He reviewed the agreement, requested and received a revised agreement. The revision was requested as the initial agreement noted the State of Florida, and it must be subject to the applicable laws for the State of Indiana, and would fall under the jurisdiction of the Clark County Courts, should there be a dispute. Attorney Lewis recommended approval of the agreement, which would allow the County to move forward with the project. Commissioner Glover announced he would be abstaining as he is a CSX employee. Commission Coffman motioned to approve and execute the engineering agreement with CSX in the estimated amount of \$15,895. Commissioner Sellers seconded. Motion approved 2-0-1 (abstention by Commissioner Glover).

III. Old Business: None

IV. Reports - Officeholder/Department Heads Present at Meeting

A. Auditor: None

B. Attorney:

County Attorney Lewis said he had two items to present, as per the amended agenda.

- 1) First was the Bridge 145 (Charlestown-Memphis Road) project which had a bid opening at the June 23rd meeting, and was taken under advisement. There were five bids, and the low bidder was MAC Construction in the amount of

\$1,136,238. After review with Bryan Wickens, MAC's attorney, the final/actual contract agreement is prepared and ready for execution by the Board's President. Commissioner Sellers made a motion to approve/award the Bridge 145 contract to MAC Construction in the low bid amount of \$1,136,238, and to authorize President Bryan Glover to execute the contract on behalf of the Clark County Commissioners. Commissioner Coffman seconded. Motion approved 3-0.

- 2) The next item was the Utility Reimbursement Agreement between Clark County and Clark County REMC, which is related to the Bridge 145 project. The Attorney said the agreement covered the relocation of utilities along Charlestown-Memphis Road at an estimated cost of \$76,512.96. The utilities are not located in a public right-of-way. Therefore, the County is responsible for the relocation expense. Commissioner Coffman motioned to approve the Reimbursement Agreement with Clark County REMC, in the amount of \$76,512.96. Commissioner Sellers seconded. Motion approved 3-0.

C. Highway Department:

Brian Dixon, County Engineer, had a few things to discuss.

- 1) Last month the Commissioners approved the purchase of a Dynapac 10-ton (used) roller from CMC in the amount of \$132,000. However, the County does not have a trailer that can safely load, unload, and transport the 10-ton roller, which replaced a 4-ton roller. Therefore, he requested quotes from three vendors, those being: Wilson Equipment; CMC; and Cristiani. Cristiani provided a quote of \$110,000 for a tractor and trailer to pull the equipment. Mr. Dixon requested approval of the equipment purchase from Cristiani. Commissioner Glover asked if this was Gotta Go, Inc. Dixon replied yes. Attorney Lewis, asked for the record (as required) who the other vendors were and their quotes. Mr. Dixon said the vendors were Wilson Equipment and CMC. However, they did not provide a quote. Commissioner Glover asked what was the capacity of the proposed trailer. Dixon responded 15-20 ton. Commissioner Glover asked if the trailer could handle the County's other equipment. Dixon responded affirmatively, and said the trailer bed can move back and down. Therefore, creating less of a ramp, as rollers do not like to climb a steep incline. It also can be used with the County's other heavy equipment. Commissioner Coffman motioned to approve the purchase of a

trailer and tractor from Gotta Go, Inc., in the amount of \$110,000. Commission sellers seconded. Motion approved 3-0.

- 2) Also, at the last meeting Mr. Dixon advised that he had received a second notification of surcharges from Mike Herrington of Kentucky Truck Sales for three trucks the County has on order. The Commission tabled the Kentucky Truck Sales surcharges, and referred the matter to the County Attorney for review. The two surcharges totaled \$6,700 per truck, or a total of \$20,100. Attorney Lewis's response was that we could either pay the surcharges or cancel the order. However, Mr. Dixon wasn't sure about cancellation, as he believed the vehicles were in assembly. Mr. Dixon requested the Commissioners approve payment of the surcharges. Commissioner Glover said there is no guarantee there will not be any additional surcharges. Attorney Lewis said he had reviewed the charges, and there is no assurance there will not be additional surcharges. It is hard to say with the supply chain issues. He was not privy to all conversations. He was not at the last meeting, and the surcharges were dated April 19, 2022. Mr. Dixon advised he did not get the second surcharge notice until two days before the last meeting (June 23, 2022). Attorney Lewis said the options were to pay the surcharges or cancel the order. However, if the order was cancelled and the company had incurred/paid expenses, Clark County would be responsible for a portion or all of the debt. Commissioner Coffman asked when is the expected delivery date. Mr. Dixon responded the best date given was sometime in September. After discussion of the options, Commissioner Coffman made a motion to approve the \$6,700 in surcharges per truck and continue on with the purchase of the three trucks from Kentucky Truck Sales. Commissioner Sellers seconded. Motion approved 3-0.

- 3) Mr. Dixon's next topic was grass cutting. Grass cutting is becoming very, very, necessary. There is one tractor and one mower assigned to each unit. These tractors and mowers are slowly coming behind the "8" ball, and can't keep up. He would like to have permission to advertise for bids (as the cost will exceed the \$150,000 threshold) for a new tractor and mower. This equipment is also used for tree and brush trimming along county roadways. Commissioner Glover said he has heard the employees tend to favor John Deere. Mr. Dixon said the County has two John Deere tractors, holding up well, and the employees due tend to prefer them. Commissioner Coffman motioned to approve advertising (Request for Bids) for a new tractor and mower. Commissioner Sellers seconded. Motion approved 3-0.

4) Mr. Dixon said that just before the meeting, he received a call from INDOT regarding the traffic signal requested for the intersection of I-265 and International Drive (Exit 11). INDOT deemed the request was warranted. However, they are booked up on their available funds until probably 2027, possibly 2028. At a later time, after obtaining financial data, Mr. Dixon would like to discuss what, if any, actions the County would like to take internally to expedite the project. INDOT said they would assist in the permitting process, but no funding. Commissioner Sellers was happy about the “warranted” determination. Commissioner Coffman asked if he (Brian) would be in contact with the City of Jeffersonville. Brian responded probably, as the location is likely under Jeff’s jurisdiction.

D. Sheriff: The current jail population is 593.

E. Elected Officials: None.

V. Other Business: None

VI. Adjournment

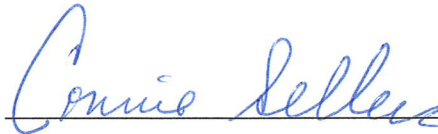
Commissioner Sellers motioned to adjourn. Commissioner Coffman seconded. Motion approved 3-0.

To the extent, the Board held an executive session of any type under (IC-5-14-1.5-6) or otherwise, the Board hereby certified that no subject matter was discussed therein, except that posted in the notice for sessions or meeting (IC-5-14-1.5-6).

BOARD OF COMMISSIONERS OF
CLARK COUNTY, INDIANA



BRYAN GLOVER, PRESIDENT



CONNIE SELLERS, VICE PRESIDENT



JACK COFFMAN, MEMBER

SIGNED THIS DAY July 21, 2022

ATTEST:  _____

DANNY YOST, CLARK COUNTY AUDITOR