

REGULAR MEETING

CLARK COUNTY BOARD OF COMMISSIONERS

August 1st, 2024

The Board of County Commissioners of Clark County, Indiana met in Regular Session on August 1st, 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 Jack Coffman.

Approval of the Minutes

Commissioner Sellers made a motion to approve the July 18th, 2024 Regular Meeting Minutes. Commissioner Coffman seconded. Motion approved 3-0.

Danny Yost presented the claims and payroll for August 1st, 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. To move Item I to the beginning of the agenda as Item A. Motion by Commissioner Coffman to approve the agenda as amended. Commissioner Sellers seconded. Motion approved 3-0.

I. Public Comments:

Kelly Khuri – Kelly was here to speak about the Utica Township Fire-Protection board, “I wanted to thank you all for the support in the recommendations with the board. We have a full board now and are ready to make good and informed decisions. I want the citizens of Utica to know that we are working hard and have safety plans in place.” Kelly thanked the Commissioners for their time.

August 1st, 2024

Ben Hess – Ben was here to speak on a conflict of interest, “There are rumors going around that Mr. Coffman will benefit from the rezoning. Can you address those rumors?” Jack had mentioned that he retired from real estate two years ago to be present as a full-time Commissioner. Since he has retired, he will not gain anything from the Rezoning.

John Croucher – John was here tonight to speak on the Rezoning Ordinance, “The demand for housing in Clark County is immense. It will increase the burden of utilities, EMS, schooling and roadways. There are many areas being affected with the rapid growth in the County. Why is there no communication by the officials in our County with River Ridge asking them for more money? River Ridge made over sixty million in revenue the previous year. None of that is being filtered back into the County for infrastructure projects. I hope that we can get a comprehensive plan with River Ridge.”

Kaitlin Blessitt – Kaitlin was here to speak on the Utica Fire Protection District board and the Rezoning Ordinance, “I wanted to commend Kelly Khuri for being so proactive and am excited to see the work that can be done. There were many uncertainties with the former board members and with the inability to contact them. I hope that moving forward, we have these boards running efficiently with more oversight. I feel confident that we are in a much better position with Kelly and the current board members.” Kaitlin thanked the Commissioners for their time.

Sandy Basham – Sandy was here to speak on Public Notices, “Public Notices are still being sent out via newspaper. That is outdated because a majority of the County doesn’t get the paper anymore. I’ve come to these meetings for many different reasons and unless you read the newspaper or someone told you about it, you would not know what is being advertised.” Commissioner Glover stated, “By law, we must continue putting it in the paper. It would take some coordination among other boards to put that on the website, but it is something that we need to address.”

II. New Business:

- A. County Attorney R. Scott Lewis presented the Appointments to the Utica Township Fire Protection District Board. The two appointments to the Utica Township Fire Protection District Board are Joe Jarles & Randy Leverett. Joe Jarles is a resident of Utica and has served twenty years in the Fern Creek Fire Department. He is also the president of the Fern Creek Fire Department Board

of Directors. Randy is a resident of Utica and served nineteen years with Jeffersonville Fire Department. He was the Fire Marshall from 1992-1996 and served on the Planning & Zoning board for Jeffersonville. Motion by Commissioner Sellers to approve the Appointments to the Utica Township Fire Protection District Board. Seconded by Commissioner Coffman. Motion approved 3-0.

- B.** County Attorney R. Scott Lewis presented the Rezoning Ordinance – Plan Commission Resolution 08-2024. This is Ordinance 15-2024. Commissioner Glover opened a public hearing.

Jeff Corbett, with Premier Homes & representing the landowner – “I’m here after a favorable recommendation from the Plan Commission for this rezoning. It is a controversial development and what we are planning to do is to create a single-family neighborhood. I have lived around here my entire life. Our community is changing, and it is growing. A lot of jobs are coming here, and people need a place to live. We are conserving farmland by building homes on half acre to quarter acre lots.”

Mike Rankin – “I am a sixteen-year resident of Memphis, Indiana. I am here to request a rejection of this Rezoning Ordinance. The amount of increased traffic would be extremely unsafe given the state of the narrow and poorly maintained County roads that surround it. It will also flood our schools with an abundance of students. It will make Memphis-Blue Lick Rd more of a disaster than it already is in the mornings and afternoons. We will actively oppose you during your reelection campaign if you choose to approve this.”

Mark LeanHart – “I bought my home in Memphis three years ago. If I had known this would have come here, I wouldn’t have bought it. I did it because of the farmland and the fact that it was a small town with very few neighborhoods. I stand with the gentleman before me and will vote against anyone who approves this.”

Bob Windell – “I’d like to thank the members of the Planning & Zoning Board and the Commissioners. I believe Clark County is second in the State for growth and that is progress. The builder submitted the application for 550 homes. At the meeting, he mentioned the possibility of 150-750 homes. He stated that he didn’t know apartments could be R2. He has a development in Sellersburg that is R2 with apartments that are considered town homes. To state the unknowns regarding what is permitted in R2, it comes off to me as dishonest. There’s the argument that anyone can do what they want with their property. This will add up to 1,500 cars at minimum driving up and down those bad County roads twice a day. Not including the sewer, the daycares, the water and increase in taxes. Before tonight’s final decision, I ask that you go against the grain until further enlightenment on the matter.”

Cara Kennedy – “I come before you to consider the pushback from us tonight and to say no to the rezoning. I have 1,345 signatures from people that believe this development should not happen. An R2 zone in a rural area with five hundred homes does not belong. I also have a letter with 24 signatures from landowners within 200 feet of the property who have signed saying they don’t want this proposal. The comprehensive plan states that any future development within the County should accommodate either preservation of Agricultural land or appropriate development of agricultural land. It also states that any new development encroaching or infringing on rural or agricultural property should not negatively impact agricultural property or the ability to grow and harvest food. The Comprehensive plan also states that it is to encourage the continuation of agricultural land in the unincorporated areas of Clark County. Memphis does have a population of less than 1,000 people. This subdivision alone will double if not triple the population of people living there. There is already significant development in the surrounding areas of about 250 homes.”

Stephanie Wilson – “I am a realtor and usually am on the side with the developers. Have you driven down Ebenezer and Crohn Rd? There is a crumbling of infrastructure. Rock has been put everywhere to prevent the crumbling of those roads. The traffic is going to increase. It will decrease property values. I’m all for development but this doesn’t make sense. You can see the passion that many have. This is not fair to those that live within this community.

John Huter – “I think these people need to know that the builder has given myself many problems. I talked to Commissioner Coffman about it many

times. He is given a lot of leeway. He did some work for a creek next to me. He never had a retention pond plan before the start of construction. There were never any restrictions placed on the work that he had done. I understand the need for growth, but it needs to be controlled. I'm still dealing with the destruction and erosion of my creek because of him."

Bruce Lowe – "I live out in Memphis and have thoroughly loved it during the seventeen years that I have lived there. When you put these shotgun homes out there, the traffic will be immense. The roads are terrible, and we put up with it because we live in a rural area. I'm not against progress by any means but it must be planned and controlled throughout."

Jeff Corbett, with Premier Homes & representing the landowner – "All of our neighborhoods have been approved by the Plan Commission and the Drainage Boards. We talk with the County frequently. We are one of the most conscientious developers in the County. We take care of our communities and put in many amenities in our developments." Commissioner Sellers asked how many homes would you be able to build if it was left as AG? "I can't answer that directly. The amount has changed. We used to have 9,600 square foot lots in agriculture. I don't believe you are allowed to do that anymore. Most of our homes are 48 feet or wider. A lot of people aren't wanting to keep up with the larger lot size."

Rick Dryer – "I've lived in this area all my life. I bought this land almost forty years ago. There are six ways in and out of this property. The transportation network is exceptional for this property. The problem is that people drive too fast, and it is behind in maintenance. I have never been caught in a traffic jam on those roads. I had done my homework on these builders. I have driven to various properties before I entered into an agreement, and I believe that they do good work. There are problems that arise with every builder and not just him. I ask that you change this zoning. If it was left AG, I wouldn't need the builders. I can slice the lots into little ugly lots. If remained AG, it can allow gun ranges, livestock, outbuildings and a slew of things that aren't acceptable by most people. This zoning change fixes that for a long time."

Commissioner Glover closed the public hearing. The Commissioners want clarification on multiple items. They want to know the difference between the density of homes that you can build in AG vs the amount of density if it is R2.

Motion by Commissioner Sellers to table Rezoning Ordinance 15-2024.
Seconded by Commissioner Glover. Motion approved 2-1.

- C. County Attorney R. Scott Lewis presented the Ordinance Establishing the GNCHF Emergency Management Grant Fund. This is Ordinance 16-2024. The fund number that is being established is 9158. This is for the purchase of a drone for search and rescue. This is a partnership with Charlestown Police Department. The total amount awarded for the Greater North Clark Health Foundation grant is \$5,000.00. Motion by Commissioner Coffman to approve Ordinance 16-2024 Establishing the GNCHF Emergency Management Grant Fund. Seconded by Commissioner Sellers. Motion approved 3-0.
- D. Gavan Hebner, Director of Clark County EMA, presented the EMS Services Agreement. The Agreement with Heartland is for a total of three months. The County will compensate Heartland for the following months of August, September and October of 2024. The scheduled payments are due each month in the amount of \$130,000.00 for August, \$110,000.00 for September, and \$103,000.00 for October. Motion by Commissioner Coffman to approve the EMS Services Agreement with Heartland. Seconded by Commissioner Sellers. Motion approved 3-0.
- E. County Attorney R. Scott Lewis presented the Orion Networks Managed Collaboration Services Contract. This is an updated 1-year agreement with the term dates of August 1st, 2024 – July 30th, 2025. The total cost is \$3,880.00 per month. Motion by Commissioner Coffman to approve the Orion Networks Managed Collaboration Services Contract. Seconded by Commissioner Sellers. Motion approved 3-0.
- F. County Attorney R. Scott Lewis presented the TowerPinkster – AML Pay Application for the Judicial Center. This is the Final payment to AML for the Clark County Judicial Center Renovations and is in the amount of \$78,642.63. The total contract sum was less than the original contract sum due to change orders decreasing the price. Motion by Commissioner Sellers to approve the TowerPinkster – AML Pay Application for the Judicial Center. Seconded by Commissioner Coffman. Motion approved 3-0.

G. County Attorney R. Scott Lewis presented the Peterson Consulting Services for Auditor's Office – Capital Asset Property Engagement Acceptance. This is a request from the Auditor's Office to retain Peterson Consulting Services regarding the Capital Asset Property record. GAAP accounting has been a requirement for Clark County as it was chosen as one of the few Counties required to go to GAAP by State law. This is a one-year agreement with a contract price total of \$6,500.00. Motion by Commissioner Coffman to approve the Peterson Consulting Services for Auditor's Office – Capital Asset Property Engagement Acceptance. Seconded by Commissioner Sellers. Motion approved 3-0.

H. County Attorney R. Scott Lewis presented the E & B Paving – Salem Noble Road Change Order #1. The original bid price was \$634,664.00. This change order is for additional patching with an increase in the original contract in the amount of \$59,840.00. Motion by Commissioner Sellers to approve the E & B Paving – Salem Noble Road Change Order #1. Seconded by Commissioner Coffman. Motion approved 3-0.

I. County Attorney R. Scott Lewis presented the Generator Equipment Maintenance Agreement for Judicial Center. This is a 3-year agreement for maintenance with Cummins. The total price of the 3-year agreement is \$5,877.75. Motion by Commissioner Coffman to approve the Generator Equipment Maintenance Agreement for Judicial Center. Seconded by Commissioner Sellers. Motion approved 3-0.

III. Old Business:

County Attorney R. Scott Lewis presented the American Structurepoint Inc. – Professional Services Contract – Lance Court. The reduced scope is in the amount of \$50,000.00 for an initial geotechnical and preliminary engineering review. Motion by Commissioner Sellers to approve the contract with American Structurepoint Inc for the Geotechnical services at Lance Court. Seconded by Commissioner Coffman. Motion approved 3-0.

IV. Reports:

A. Auditor: None.

B. Attorney: None.

C. Highway Department: None.

D. Sheriff: The current jail population is 456, 34 are Federal Inmates.

E. Elected Officials & Department Heads: None.

V. Other Business: None

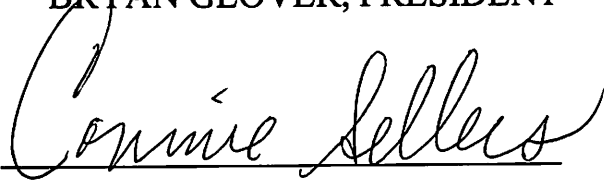
VI. Public Comments: None.

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

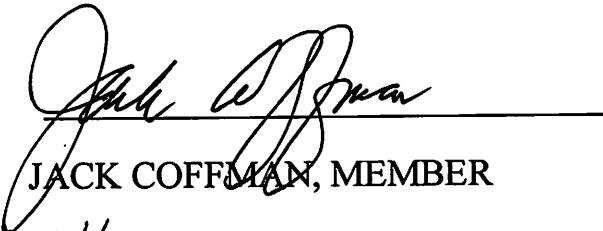
BOARD OF COMMISSIONERS OF
CLARK COUNTY, INDIANA



BRYAN GLOVER, PRESIDENT



CONNIE SELLERS, VICE PRESIDENT



JACK COFFMAN, MEMBER

SIGNED THIS DAY August 15, 2024

ATTEST: 

DANNY YOST, CLARK COUNTY AUDITOR