

CLARK COUNTY COUNCIL
CLARK COUNTY, INDIANA
Regular Meeting of July 11th 2022

The regular scheduled meeting of the Clark County Council was called to order at 6:00 p.m. by Councilperson Barbara Hollis.

Those in attendance stood for the pledge of allegiance to the American Flag led by Gavan Hebner.

Roll call showed members present and absent as follows:

Present	Absent
Barbara Hollis (1st District)	Brittany Ferree (3rd District)
Janne Newland (2nd District)	Steve Doherty (4th District)
Kevin Vissing (At Large)	
David Abbott (At Large)	
John Miller (At Large)	

Also present were Council Attorney Maxwell McCrite, County Auditor Danny Yost, and Deputy Auditor Lindsey Wilmoth.

President Hollis requested proof of the Notice of Taxpayers of the additional appropriations listed on the agenda. The County Auditor, Danny Yost stated for the record that publication of the Notice of Taxpayers ran in the News and Tribune ten (10) days prior to this meeting as required by I.C.6-1.11-18-5.

Councilperson Hollis offered June 13, 2022, Regular Council minutes. Councilperson Newland motioned to approve the Regular meeting minutes of June 13, 2022, as presented. Councilperson Miller seconded. Motion carried 5-0. Councilperson Hollis noted that Councilperson Doherty and Ferree were absent.

Councilperson Hollis added a transfer request for the Auditor, and change of HD Salary Ordinance for Mickey Weber, Chief Public Defender. Councilperson Miller motioned to approve the agenda as amended. Councilperson Vissing seconded. Motion carried 5-0.

Councilperson Miller motioned to acknowledge the Receipt of Funds Report provided by the Auditor's office. Councilperson Newland seconded the motion. Motion carried 5-0.

Committee Reports:

Councilperson Vissing said he attended a meeting of the Falls of the Ohio Foundation, Inc. Their Board has plans to build a \$1.5 million pavilion, which would host weddings, and such. The new pavilion could help the Falls of the Ohio Interpretative Center to become self-sufficient. Also, the Foundation's Board intends to request ARPA funds from the County. Of course, this would go before the County Commissioners first.

Public Comments: None.

Councilperson Hollis welcomed Jack Coffman, County Commissioner, to address the Council.

Commissioner Coffman presented requests as follows:

Additional appropriations for Fund 1135 (Cum Bridge) Contract Services in the amount of \$75,000. This was for bridge inspection services to be provided by United Consulting.

Additional appropriations for Fund 1169 (Local Road and Streets) Equipment Repair in the amount of \$45,000, and Repair and Maintenance in the amount of \$20,000.

Commissioner Coffman said the next three items are somewhat related (Fund 4501, 4502, and 4503). These are neutralization reports, which are performed every year by Baker and Tilly. They have not billed the County in a while, and this is for a three-year period. Typically, the annual cost is \$1,500.

Additional appropriations for Fund 4502 (TIF-Henryville I-65 Corridor) Contract Services in the amount of \$4,664.

Additional appropriations for Fund 4501 (TIF-Perry Crossing) Contract Services in the amount of \$4,664.

Additional appropriations for Fund 4503 (TIF-Memphis Corridor) Contract Services in the amount of \$4,664.

Transfer of appropriations within Fund 1000 (County General), Location 52 (Human Resources) \$900 from Supplies to Equipment. This is to purchase a new printer and laptop for the Director of Human Resources.

Councilperson Vissing motioned to approve the additional appropriations and transfers, as presented by Commissioner Coffman. Councilperson Miller seconded. Motion carried 5-0.

Phil Parker, Clark County Sheriff's Office, presented a request for additional appropriations for Fund 1000, Location 32 (County Jail) Gas and Oil in the amount of \$130,000. When the budget was prepared gasoline was hovering around \$2.00 per gallon. Now it's up near or at \$5.00. Councilperson Hollis asked if he knew the account balance or how much had been expended. Mr. Parker said he did not. However, its likely approaching "E" (Empty). Commissioner Coffman asked if this would re-occur again prior to year-end. Mr. Parker said he did not know. The Department has implemented several things, in house, to mitigate the problem, for example, no idling, if more than one is attending training they must carpool, and if two detectives are on call, they must commute together. The Department's goal is to limp through the end of the year. Councilperson Miller motioned to approve the additional appropriations in Fund 1000, Location 32, as requested. Councilperson Abbott seconded. Motion carried 5-0.

Judge Vicki Carmichael, Clark County Courts, presented requests as follows:

Transfer of Appropriations within Fund 1000, Location 376 (Superior Court #6) \$282.98 from Supplies to Equipment.

Transfer of Appropriations within Fund 1000, Location 376 (Superior Court #6) \$1,494.88 from Transcripts & Depositions to Equipment.

Transfer of Appropriations within Fund 1000, Location 376 (Superior Court #6) \$1,320.00 from Transcripts & Depositions to Equipment.

Transfer of Appropriations within Fund 1000, Location 376 (Superior Court #6) \$2,703.94 Contract Services to Equipment.

Transfer of Appropriations within Fund 1000, Location 302 (All Courts) \$4,450.00 from Equipment to Contract Services.

Additional appropriations for Fund 1000 (County General), Location 302 (All Courts) Jury Meals in the amount of \$10,000, and Jury Pay \$10,000. She said there had been nine jury trials so far.

Councilperson Newland motioned to approve the additional appropriations and transfers, as presented by Judge Carmichael. Councilperson Miller seconded. Motion carried 5-0.

Butch Love, Clark County Assessor, said he had a few different things. First, he wanted to readdress the salary of Stacy Fetz, Chief Deputy Assessor. He said the Chief Deputy Auditor was out of town, and Lindsey was covering the meeting. Councilperson Hollis said she had received an email, this afternoon, from Jessica, stating Lindsey would provide the supporting documentation for the issue at hand, and also added an amendment to the agenda, which is for a transfer of funds in Fund 1224 (Reassessment). Councilperson Hollis read aloud portions of the email that pertained to the salary ordinance, and transfer of funds. The Assessor provided the salary error history. Hollis said, that as per the State Board of Accounts, they will not take audit exception, as long as the Salary Ordinance is in place. She said the Council was not obligated to this, as you can lower someone's salary. However, a mistake was made, and a correction is allowed. Councilperson Abbott said if it was a mistake then it should be corrected.

Assessor Love presented requests as follows:

Additional appropriations in Fund 1000 (County General) in the amount of \$6,744.94 Personal Services; \$515.98 FICA/Medicare; and \$856.60 PERF. He also presented Salary Ordinance Chief Deputy in the amount of \$49,918.40.

Councilperson Abbott motioned to approve the additional appropriations and Salary Ordinance, as presented by Assessor Love. Councilperson Vissing seconded. Motion carried 5-0.

As per the Amended Agenda, the Assessor, presented a request for Transfer of Appropriations within Fund 1224 (Reassessment) \$1,428.51 from Supplies to Furniture Fixtures, and additional appropriations for Fund 1131 (County Sales Disclosure) in the amount of \$9,895.00 Equipment. He said the copier and printer would be funded by the Sales Disclosure fund (Fund 1131), and the \$1,428.51 was to purchase a supply cabinet and 4-drawer file cabinet.

For informational purposes the County Sales Disclosure fund replenishes itself yearly. Councilperson Hollis asked if there were any salaries obligated to this account. He answered no.

Councilperson Vissing motioned to approve the transfers (Fund 1224), and additional appropriations (Fund 1131), as presented by Butch Love. Councilperson Miller seconded. Motion carried 5-0.

Galadriel Ballard, with Clark County Corrections, presented a Salary Ordinance for Community Corrections Project Income (Fund 1122) for Intake Coordinator in the amount of \$38,107. She said in May, their Advisory Board said they wanted to transition this previous administrative position to a probation position, which would place them on the probation officer pay scale. She provided an overview of the Intake position, which makes recommendations to the Court to determine the type of probation that best fits the individual. Also, funds are available long term. Councilperson Hollis asked if a position was being eliminated. She responded yes. There is another full-time administrative position listed under supervision officer, which has been vacant for some time, and will now be eliminated, with the associated costs. Councilperson Hollis said if it was the Council's pleasure, the new Intake Coordinator position could be approved, and the Supervision Officer position eliminated, all in one motion. This would be a cost saving measure, with one less person enrolled in the County's benefits, and PERF. A brief discussion ensued, which clarified the Intake Position is a probation officer, and will fall under the probation officer salary rates. Councilperson Vissing motioned to approve the Salary Ordinance for Fund 1122 in the amount of \$38,107, and to eliminate the supervision officer position. Councilperson Miller seconded. Motion carried 5-0.

Patti Smith, with the Clark County Health Department, presented Transfer of Appropriations for Funds 1159, 8205, and Salary Ordinance Tester (Fund 8238), as follows:

Request for transfer of appropriations within Fund 8205: \$1,108 from Supplies to Contract Services; and \$6,097 from Equipment to Contract Services. This grant will be closed-out shortly.

Request for transfer of appropriations within Fund 1159: \$1,108 from Physicians to Change Fund-Petty Cash. Some customers bring in \$100 bills. This will allow the front end to provide change to customers.

Salary Ordinance for Testers, Fund 8238, (School Clinic Grant) in the amount of \$38,107. This will cover five part-time testers, at \$30 per hour. Councilperson Hollis said the original grant (Fund 8227) had expired/ran out on June 30, 2022. Rather than extend the grant, the State awarded a "NEW" grant, and funding will take some time. During the interim, the State has approved funding these positions through an existing Health Dept. grant (Fund 8238). Also, since June 30th the County has not been able to administer Covid tests. However, if the Council approves the Salary Ordinance, the Health Department will start testing tomorrow. Patti Smith said that was correct.

Councilperson Newland motioned to approve the transfers (Fund 8205 and 1159), and Salary Ordinance for Fund 8238, at the rate of \$30 per hour, for five positions, as presented by Patti Smith. Councilperson Vissing seconded. Motion carried 5-0.

Councilperson Vissing said this was a question for the Health Department or Commissioner Coffman. Are we still spraying for mosquitos? Patti Smith responded yes. What areas? She said the city and county. Have all areas been sprayed in the county? She could not confirm all areas were sprayed. If a someone calls and complains about mosquitos, then the Health Department will go out to that area and spray. The Health Department sets out traps around the county to test for mosquito born disease, such as West Nile. Councilperson Hollis said the County does have a mosquito fund. Councilperson Vissing asked who he could call to see if an area has been sprayed. Patti said to call the Health Department, extension 212, in order to avoid listening to the automated recording.

Sunshine Fox of the Clark County Prosecutor's office, presented a request for additional appropriations for Fund 2528 (Infraction Deferral Program), Personal Services in the amount of \$191; FICA/Medicare \$15; and PERF \$25. Also, additional appropriations for Fund 8108 (Domestic Violence Grant #1) Personal Services in the amount of \$1,252; FICA/Medicare \$96; and PERF \$159. Two Deputy Prosecutors, in Circuit 3, recently left the County's employment, one on June 3rd and the other June 10th, 2022. The funds requested are to cover one week of salary expenses for each employee. Councilperson Newland motioned to approve the additional appropriations (Fund 2528 and 8108). Councilperson Miller seconded. Motion carried 5-0.

Gavan Hebner, with Emergency Management, presented a request for additional appropriation for Fund 4970 (EMA Donation Fund), Equipment in the amount of \$10,000. The EMA would like this donation to be appropriated to Equipment. Councilperson Vissing motioned to approve the additional appropriation, as presented. Councilperson Miller seconded. Motion carried 5-0.

David Meacham, with Adult Protective Services, presented a request for additional appropriation for Fund 9105 (Adult Protective Services #1), Moto Vehicles in the amount of \$20,000. Their 2015 Dodge Durango, which their Investigator drives, is 7 years old, purchased at John Jones, and the VIN # is associated as a police vehicle (police sale). John Jones was not willing to give much on the trade-in value. However, they were able to negotiate with Jim O'Neal Ford (Retail Buyers Order in the meeting packet). The net purchase amount is \$18,361.25. Councilperson Vissing motioned to approve the additional appropriation of \$20,000, as presented. Councilperson Miller seconded. Motion carried 5-0.

Danny Yost, Clark County Auditor, turned the floor over to Lindsey Wilmoth, who presented a request for additional appropriation for Fund 1216 (Auditors Ineligible Deduction), Contract Services in the amount of \$85,000. The County has a contract with Tax Management Associates, Charlotte, North Carolina, which provides two auditing services for the County. One is for reviewing the Assessor's office assessed property valuations, and advising if the values should be changed higher, lower, or remain the same. The other service is for reviewing the Homestead Exemptions filed with the Auditor, and determination if the recipient has filed exemption on more than one owner/occupied dwelling, in the County or the State. These invoices have been paid. However, the invoices were paid by the Assessor's Fund 4924 in error. This is basically an accounting correction. Councilperson Miller motioned to approve the additional appropriation of \$85,000, as presented. Councilperson Newland seconded. Motion carried 5-0.

As per the Amended Agenda, Mickey Weber, Clark County Chief Public Defender, addressed the Council. Mr. Webber was present to discuss the office space of the Public Defender, which will be moving somewhere. The current space allocated in the Judicial Center is not enough for what they need now, or in the future.

Mr. Weber said, as previously discussed at the County Commissioner's meeting, property at 431 E. Court Avenue (previously law office), and Corden Porter building (owned by Clark County School Corp.) at 630 Meigs Avenue are both available (for sale). The Court Avenue building provides 3,000 S.F. and 14 parking spaces. The Corden building has 18,000 S.F. and is listed at \$620,000. Last year the County engaged with the School Board to discuss the Corden building. Both obtained appraisals. The County's was at \$410,000, and within approximately \$11,000 of the School Board's, which was not listed at the time. Mr. Weber said for the Public Defender's needs, either building would suffice. However, the Corden building could benefit his office, as well as, other County Departments. He said the Public Defender's Supplemental fund has sufficient funds to make a reasonable cash offer on either property. Thus, there would not be need to request additional appropriations from County General (Fund 1000). Also, eventually the Public Defender's office wants to increase the number of Full-Time Public Defenders, and reduce its' reliance on contracted part-time counsel.

Mr. Weber requested the Council consider one or both of these properties for acquisition. This would require: a "Resolution" identifying the property it plans to acquire; a guarantee it would not pay more than the average of two appraisals obtained by the County; approved by the County Commissioners; and funds identified and appropriated by the County Council. He was requesting the Council to approve one, or both possibilities (resolutions). Councilperson Abbott said, at this time, he would say no. The Council does not know where it stands with the Courthouse (Judicial Center) renovations, and there are too many unknowns, to take on another building, with paid parking.

Mr. Weber said the Court Avenue building includes 14 parking spaces, and the Corden has over 14 spaces. Mr. Weber said his office is only being allotted 50 more square feet in the Courthouse, and no additional space is available according to the current set of plans. The Corden building would house the Public Defender's office, and allow space for other agencies, which are not currently in the Courthouse. He asked the Council for expressions of interest via Council Resolutions. Councilperson Hollis said she would like to consult counsel. Council Attorney, Maxwell McCrite, said he would not recommend approval of either proposed Resolution. There is too much detail, and decisions to be made, which may be beyond the Council's authority. Attorney McCrite said the Council would need a resolution for intent to purchase, but he would only recommend a resolution for one property, not both.

At length discussions continued. Judge Carmichael spoke in favor of purchasing the Corden building, and believed the County would be mistaken not to take advantage of this opportunity. The County now has ten judicial officers. Therefore, the number of court reporters, probation officers, and community corrections will also grow. Clark County is growing, and so are its' judicial needs. Judge Carmichael said there is simply not enough space in the existing Courthouse to meet all the judicial system staff needs.

Further discussions ensued. Mr. Weber requested the building acquisition matter be tabled until the August Council meeting. An executive session might be held before the next Council meeting in order to discuss financial matters. Councilperson Vissing motioned to table both of the proposed Building Acquisition (431 E. Court Avenue and 631 Meigs Avenue) Resolutions. Councilperson Newland seconded. Motion carried 5-0.

Councilperson Hollis asked if there was any old, new, reports or comments. A Councilperson brought up it was budget time again. The Auditor provided the dates and times used in 2021. After discussion, the consensus was to hold budget meetings the week of August 15th through 19th, 2022. Specifically, Monday the 15th 8am-4pm; Tuesday the 16th and Thursday the 18th from 8am-12 noon.

Councilperson Hollis asked if there were any additional comments. Commissioner Coffman said the 4-H Fair was next week. Councilperson Vissing asked if was it true that parking has been raised to \$10. Many had an opinion, but no one had any idea.

Councilperson Hollis asked if there were any further comments. Commissioner Coffman said building acquisition cost is a small consideration. Serious consideration must be given to facility costs, such as age of the heating and A/C system, which is 10+ years old at the Corden building, and I.T. costs. He said 70 people (employees) were relocated from the Courthouse to the Government Center. So, there should be ample room for everyone. Also, the Public Defender had seen the Courthouse renovation plans twice. The additional allocation of 300 S.F. was sufficient until recently. It was his opinion the Courthouse had sufficient space to house the Court related offices, even if some are moved to the basement, where about 2,000 S.F. is used to store voting machines. Further discussions of facilities management and renovations ensued. It was noted the County Commissioners are responsible for facilities, not the County Council.

Councilperson Hollis asked Attorney McCrite if he had any comments. Attorney McCrite questioned if the Commissioners were amiable to an Executive Session. Commissioner Coffman said they (the Commissioners) would have to be there. All seemed to agree an Executive Session should be held.

Councilperson Hollis asked the Auditor if he had anything to offer. He said he conveyed, via email, that the growth quotient will be 5%.

Councilperson Vissing motioned to adjourn. Councilperson Newland seconded. Motion carried 5-0.

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING
ADDITIONAL APPROPRIATIONS
FOR THOSE FUNDS WHICH DO NOT REQUIRE APPROVAL OF THE
DEPARTMENT OF LOCAL GOVERNMENT FINANCE
ORDINANCE NO. 14-2022**

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget so that it is necessary to appropriate more money than was appropriated in the annual budget.

Section I. BE IT ORDAINED by the Clark County Council of Clark County, Indiana that for expenses of Clark County government and its institutions for the year ending December 31, 2022, the following sums of money are herein specified subject to the law governing the same, such sum herein appropriated shall be held to include all expenditures provided by law.

Section II. THAT for the fiscal year there is hereby appropriated out of the various funds herein for the following specified amounts to meet such extraordinary emergencies which are declared to exist.

	Requested	Allowed	Vote
Clark County Commissioners			
Cum Bridge			
Additional Appropriations			
1135-30051-064 Contract Services	\$75,000.00	\$75,000.00	5-0
Clark County Commissioners			
Local Road and Streets			
Additional Appropriations			
1169-30054-060 Equipment Repair	\$45,000.00	\$45,000.00	5-0
1169-20012-060 Repair and Maintenance	\$20,000.00	\$20,000.00	5-0
Clark County Commissioners			
TIF-Henryville Corridor			
Additional Appropriations			
4502-30051-030 Contract Services	\$4,664.00	\$4,664.00	5-0
Clark County Commissioners			
TIF-Perry Crossing			
Additional Appropriations			
4501-30051-030 Contract Services	\$4,664.00	\$4,664.00	5-0
Clark County Commissioners			
TIF-Memphis Corridor			
Additional Appropriations			
4503-30051-030 Contract Services	\$4,664.00	\$4,664.00	5-0

	Requested	Allowed	Vote
Clark County Sheriff			
County General			
Additional Appropriations			
1000-20021-032 Gas and Oil	\$130,000.00	\$130,000.00	5-0
Jury Fee Fund			
Additional Appropriations			
2527-30094-302 Jury Meals	\$10,000.00	\$10,000.00	5-0
2527-30127-302 Jury Pay	\$10,000.00	\$10,000.00	5-0
Clark County Assessor			
County General			
Additional Appropriation			
1000-11107-009 Personal Services	\$6,744.94	\$6,744.94	5-0
1000-11171-009 FICA/Medicare	\$515.98	\$515.98	5-0
1000-11176-009 PERF	\$856.60	\$856.60	5-0
County Sales Disclosure			
Additional Appropriation			
1131-40014-009 Equipment	\$9,895.00	\$9,895.00	5-0
Clark County Prosecutor			
Infraction Deferral Program			
Additional Appropriation			
2528-11107-008 Personal Services	\$191.00	\$191.00	5-0
2528-11171-008 FICA/Medicare	\$15.00	\$15.00	5-0
2528-11176-008 PERF	\$25.00	\$25.00	5-0
16.588 Domestic Violence Grant #1			
Additional Appropriations			
8108-11107-008 Personal Services	\$1,252.00	\$1,252.00	5-0
8108-11171-008 FICA/Medicare	\$96.00	\$96.00	5-0
8108-11176-008 PERF	\$159.00	\$159.00	5-0
Clark County Emergency			
Management			
EMA Donation Fund			
Additional Appropriation			

	Requested	Allowed	Vote
4970-40014-039 Equipment	\$10,000.00	\$10,000.00	5-0
Adult Protective Services Additional Appropriations			
9105-40012-008 Motor Vehicle	\$20,000.00	\$20,000.00	5-0
Clark County Auditor Auditor Ineligible Deduction Additional Appropriations			
1216-30051-002 Contract Services	\$85,000.00	\$85,000.00	5-0

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING
TRANSFER OF APPROPRIATIONS
ORDINANCE NO. 15-2022**

	Requested	Allowed	Vote
County General			
From: 1000-20060-052 Supplies	(\$900.00)		5-0
To: 1000-40014-052 Equipment		\$900.00	5-0
Clark County Courts			
County General			
From: 1000-20060-376 Supplies	(\$282.98)		5-0
To: 1000-40014-376 Equipment		\$282.98	5-0
Clark County Courts			
County General			
From: 1000-30175-376 Transcripts & Depos	(\$1,494.88)		5-0
To: 1000-40014-376 Equipment		\$1,494.88	5-0
Clark County Courts			
County General			

	Requested	Allowed	Vote
From: 1000-30175-376 Transcripts & Depos			
To: 1000-40014-376 Equipment	(\$1,320.00)		5-0
		\$1,320.00	5-0
 Clark County Courts			
County General			
From: 1000-30051-376 Contract Services	(\$2,703.94)		5-0
To: 1000-40014-376 Equipment		\$2,703.94	5-0
 Clark County Courts			
County General			
From: 1000-40014-302 Equipment	(\$4,450.00)		5-0
To: 1000-30051-302 Contract Services		\$4,450.00	5-0
 Clark County Assessor			
From: 1224-20060-076 Supplies	(\$1,428.51)		5-0
To: 1224-40011-76 Furniture		\$1,48.51	5-0
 Clark County Health Dept.			
93.136 ECHO Grant			
From: 8205-20060-071 Supplies	(\$1,108.00)		5-0
To: 8205-30051-071 Contract Services		\$1,108.00	5-0
 Clark County Health Dept.			
93.136 ECHO Grant			
From: 8205-40014-071 Equipment	(\$6,097.00)		5-0
To: 8205-30051-071 Contract Services		\$6,097.00	5-0
 Clark County Health Dept.			
Health Dept. Fund			
From: 1159-30099-071 Physicians	(\$1,108.00)		5-0
To: 1159-31020-071 Change Fund-Petty Cash		\$1,108.00	5-0

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING SALARY
AND WAGES TO BE PAID TO OFFICERS AND EMPLOYEES FOR CALENDAR
YEAR 2022 AMENDMENT NO. 7**

	Requested	Allowed	Vote
Clark County Assessor County General Salary Ordinance			
Chief Deputy	\$49,918.40	\$49,918.40	5-0
Clark County Community Corrections Comm. Corr. Project Income Salary Ordinance			
Intake Coordinator (Probation Officer)	\$38,107.00	\$38,107.00	5-0
Clark County Health Dept. 93.354 School Clinic Grant Salary Ordinance			
Tester	\$30.00 PH	\$30.00 PH	5-0

Members of the Clark County Council

AYES

NAYS

[Handwritten signature]

Kern Vissing

Ann Newland

Lucas Hollis

Brianne - abstain

Star Goherty Abstain

Attest: _____
Danny Yost - Clark County Auditor

Approved this _____ day of _____, 2022