

REGULAR MEETING
CLARK COUNTY BOARD OF COMMISSIONERS
November 21, 2024

The Board of County Commissioners of Clark County, Indiana met in Regular Session on November 21, 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, 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 Coffman motioned to approve the November 7, 2024 Regular Meeting Minutes. Commissioner Sellers seconded. Motion approved 3-0.

Danny Yost presented the claims and payroll for November 21, 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 if not he would entertain a motion to approve. Commissioner Sellers motioned to approve the agenda as amended. Commissioner Coffman seconded. Motion approved 3-0.

I. Public Comments:

Andrew Carty- Andrew represents Aypa Power with company address 11801 Domain Blvd, Austin, TX 78758. The company is a national leading energy storage developer. Andrew has concerned about the proposed language used to describe energy storage. Andrew stated that he wanted the Commissioners to consider two things, the quarter mile setback and not allowing energy storage plants on AG land. Andrew stated the county has 90 days to consider the new languages and rules.

Kelly Khuri- 4819 Salem Noble Road, Jeffersonville, IN 47130 – Kelly also is here to speak about the BESS system for energy storage. Kelly expressed concerns about energy storage facilities. Kelly understands the need for energy storage but she does not want it to be at the detriment of the county.

II. New Business:

- A.** Commissioner Glover opened a public hearing regarding a Rezoning Ordinance Plan Commission Resolution 13-2024. Eric Wise came before the Commissioners with a change of zone request from B3 Highway Business to agriculture the AG Classification. This is located on the corner of Mount Zion Rd and Highway 131 which is a 1.14 AC tract. The owner is Ace Capital. Applicant Bethany Lewitt wants to build a single family home but to do so the zoning has to be changed. The Plan Commission met on November 13 and gave a favorable recommendation of 8-0. No one came to speak for or against this change. Commissioner Glover closed the public hearing. Commissioner Coffman motions to approve Ordinance 28-2024 which is an ordinance with a favorable recommendation from Plan Commission for the real estate to be reclassified from B3 to AG. Commissioner Sellers seconded. Motion approved 3-0.
- B.** Commissioner Glover opened a public hearing regarding a Rezoning Ordinance Plan Commission Resolution 14-2024. Eric Wise came before the Commissioners with a change of zoning request from B3 Highway Business to R2 Medium Density Residential for the property located at 117 Railroad Street Henryville, IN 47126. The owner of the property is Guthrie Realty Services LLC. This property is just over one-tenth of an acre. The property is developed for a single family home but buyer cannot get mortgage due to the property being zoned as commercial. The Plan Commission voted 8-0 for approval of this of this change No one came to speak for or against this change. Commissioner Glover closed the public hearing. Commissioner Sellers motioned to approve Ordinance 29-2024 from B3 to R2. Commissioner Coffman seconded. Motion approved 3-0.
- C.** Eric Wise, spoke about Resolutions for a Text Amendment to the 2020 UDO. Text Amendments do not require a public hearing.

1. Plan Commission Resolution 15-2024 Amends subsection c. Solar Energy Systems (SES), Commercial. Subsection i Structure Standards, Commercial SES © Power and Communication lines by deleting subsection 1 & 2 with a replacement. Commissioner Sellers motioned to approve Ordinance 30-2024 which is an ordinance approving Text Amendments to the 2020 UDO (United Development Ordinance). Commissioner Coffman Seconded. Motion approved 3-0.
2. Plan Commission Resolution 16-2024 Amends subsection c. Solar Energy System (SES) Commercial. Subsection ii Development Standards, Commercial SES by deleting subsection (a)4 with a replacement. Commissioner Sellers motioned to approve Ordinance 31-2024 which is an ordinance approving Text Amendments to the 2020 UDO (United Development Ordinance). Commissioner Coffman Seconded. Motion approved 3-0.
3. Plan Commission Resolution 17-2024 Amends subsection c. Solar Energy Systems (SES), Commercial. Subsection ii Development Standards, Commercial SES by adding a new subsection (a)5. Commissioner Coffman motioned to approve Ordinance 32-2024 which is an ordinance approving Text Amendments to the 2020 UDO (United Development Ordinance). Commissioner Sellers Seconded. Motion approved 3-0.
4. Plan Commission Resolution 18-2024 Amends subsection c. Solar Energy System (SES), Commercial Subsection ii Development Standards, Commercial SES by deleting Subsection B with a replacement. Commissioner Sellers motioned to approve Ordinance 33-2024 which is an ordinance approving Text Amendments to the 2020 UDO (United Development Ordinance). Commissioner Coffman Seconded. Motion Approved 3-0.
5. Plan Commission Resolution 19-2024 Amends Subsection c. Solar Energy System (SES), Commercial. Subsection ii Development

Standards, Commercial SES Subsection c Ground Cover by deleting subsection c (1) © and also amends subsection c. Solar Energy Systems (SES), Commercial. Subsection ii Development Standards, Commercial SES by deleting subsection (d) Fencing with a replacement.

Commissioner Coffman motioned to approve Ordinance 34-2024 which is an ordinance approving Text Amendments to the 2020 UDO (United Development Ordinance). Commissioner Sellers Seconded. Motion Approved 3-0.

6. Plan Commission Resolution 20-2024 Amends subsection c. Solar Energy System (SES), Commercial. Subsection ii Development Standards Commercial SES by adding new subsection (h), also amends subsection c. Solar Energy System (SES) Commercial. Subsection iii Procedures, Commercial SES by adding a new subsection (f). This resolution lastly amends subsection c. Solar Energy Systems (SES), Commercial by adding subsection (f) a new subsection iv.

Commissioner Coffman motioned to approve Ordinance 35-2024 which is an ordinance approving Text Amendments to the 2020 UDO (United Development Ordinance). Commissioner Sellers Seconded. Motion Approved 3-0.

7. Plan Commission Resolution 21-2024 Amends Chapter 10 Definitions by adding terms Battery Energy Storage System Tier 1 & Tier 2. Chapter 2 Zoning Districts subsection B and Chapter 4 Use and Development Standards section B Zoning Districts. It also amends Chapter 4 Use and Development Standards section B by inserting new subsection 5 Battery Energy Storage Systems and renumbering existing standards for specific uses. Commissioner Seller motioned to approve Ordinance 36-2024 which is an ordinance approving Text Amendments to the 2020 UDO (United Development Ordinance). Commissioner Coffman Seconded. Motion Approved 3-0.

- D. Commissioner Glover presented the Charlestown Pike Widening & Resurfacing Project Bid. The county received four bids from different companies for this project but later choose to use Dave O'Mara Contractor.

Dave O'Mara Contractor had a recommendation from United Consulting to and was also the lowest bidder in the amount of \$2,984,375. The Engineer estimated the project would be \$3,766,393.60. Commissioner Coffman made a motion to award the bid, approve contract and send notice to proceed. Commissioner Sellers seconded. Motion Approved 3-0.

E. Attorney, Scott Lewis presented a contract to continue using Heartland Ambulance Service per the recommendation from Health Department, Health Officer and EMA Director. This contract would be for three years starting January 1, 2025 and go through December 31, 2027. Commissioner Sellers made a motion to approve Heartland Emergency & Non-Emergency Ambulance Agreement. Commissioner Coffman seconded. Motion Approved 3-0.

F. Attorney, Scott Lewis presented an Office H2O agreement for the Clerk's Office. The agreement is for a 60-month term and includes a monthly payment of \$100 per month. This will be paid quarterly from the Clerk's Budget. Commissioner Sellers motioned to approve Office H2O Agreement for the Clerk's Office. Commissioner Coffman seconded. Motion Approved 3-0.

G. Attorney, Scott Lewis presented an Agreement with Peterson Consulting Service for GASB 34 and GAAP Compliant Capital Asset Record Reports per recommendation from Auditor's Office. The services would be for fiscal year 2024. The agreement is in the amount of \$3250 to be paid for from the Auditor's Office Budget.- Commissioner Coffman motioned to approve the contact with Peterson Consulting Service. Commissioner Sellers seconded. Motion Approved 3-0.

H. Attorney, Scott Lewis presented an Interlocal agreement with the City of Jeffersonville regarding the 2024 Byrne Justice Assistance Grant. The grant award will fully fund a NiBiN Machine (National Integrated Ballistic Information Network). This is the only machine in Southern Indiana and will assist our community in solving and sharing information related to violent gun crimes. Commissioner Seller made a motion to approve the Interlocal

Agreement with the City of Jeffersonville. Commissioner Coffman seconded.
Motion Approved 3-0.

III. Old Business: None.

IV. Reports:

A. Auditor: None.

B. Attorney: None.

C. Highway Department: County Engineer Brian Dixon presented an update on the projects at Bridge 400 and Stacy Road. Bridge 400 is ahead of schedule and the goal is to open in early December. Stacy Road has not started and may not be able to start till March. Commissioner Glover is going to have Attorney, Scott Lewis reach Indiana American Water to get a written response that would justify their delay to this project and communicate that to INDOT.

D. Sheriff: Major Nick Mobley stated that the current jail population is 467 and 31 are Federal Inmates. Sheriff Maples asked Major Mobley to speak to the Commissioners regarding the Sheriff's Office has a 2017 Chevrolet Tahoe that they would like to transfer to Planning and Zoning. Commissioner Sellers stated that Planning & Zoning has had two inspectors however they have only had one vehicle so this is a much needed addition. Commissioner Coffman Motion to approve the Internal Transfer a 2017 Chevrolet Tahoe from Clark County Sherriff to Planning and Zoning. Commissioner Sellers seconded.
Motion Approved 3-0.


E. Elected Officials & Department Heads: None.

V. Other Business: None

VI. Public Comments: None.

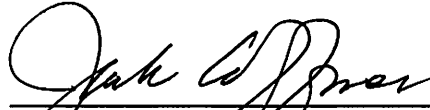
VII. Adjournment: Commissioner Glover entertained a motion to adjourn. Commissioner Coffman motioned to adjourn. Commissioner Sellers seconded.
Motion approved 3-0.

BOARD OF COMMISSIONERS OF
CLARK COUNTY, INDIANA



BRYAN GLOVER, PRESIDENT

CONNIE SELLERS, VICE PRESIDENT



JACK COFFMAN, MEMBER

SIGNED THIS DAY December 5, 2020

ATTEST: 

DANNY YOST, CLARK COUNTY AUDITOR