

**MINUTES OF THE CLINTON COUNTY COMMISSIONERS**

April 3, 2023

9:00 A.M.

The Clinton County Commissioners met for a regular meeting on April 3, 2023 at 9:00 a.m. at the Clinton County Courthouse, 125 Courthouse Square, Frankfort, IN 46041.

Commissioner Jordan Brewer called the meeting to order with the following members shown to be present or absent:

**PRESENT**

Jordan Brewer  
Josh Uitts  
Bert Weaver

**ABSENT**

Others in attendance were Commissioner Assistant Jerri Sexton, Rick Campbell, Rich Kelly, Ashley Kelly, Renee Crick, Alan Dunn, Steven Deckard, Rodney Wann, Darrell Sanders, Britt Ostler, and others are shown to be present in the minutes. Commissioner's Assistant Jerri Sexton recorded the minutes.

**IN THE MATTER OF THE PLEDGE OF ALLEGIANCE**

Commissioner Brewer led the pledge of allegiance.

Commissioner Brewer opened the meeting with comments about the recent storm event. Stating it was one of the worst tornadoes in Clinton County history. It created damage throughout the county, but Perry and Jackson townships were hit the hardest. He thanked the community for coming together, supporting and helping each other. He thanked Renee and her staff at Central Dispatch, Tim from ACCS because some of the communication channels went down in the middle of the storm. He thanked Darrell at EMA, Highway Department, Clinton County EMS, Sheriff Department and their deputies, Frankfort Fire Department, Frankfort Police Department, Frankfort City, Light, and Power, and Duke Energy, and the Volunteer Fire Departments. He thanked them for their service, and commitment in helping friends and neighbors in times of need.

Commissioner Uitts on behalf of the commissioners gave condolences to the Kincaid family from Rossville. Mr. and Mrs. Kincaid were caught in the storm and unfortunately passed away.

**IN THE MATTER OF PUBLIC COMMENT**

No comments were received.

**IN THE MATTER OF PAUL PHILLIPPE GRANT**

Cindy Orem presented the Paul Phillippe Transportation Grant Contract. Commissioner Uitts motioned to approve the contract. Commissioner Weaver seconded. Motion carried 3-0.

**IN THE MATTER OF HIGHWAY UPDATE**

Rick Campbell reported they were hauling sand. They have guys out cleaning up brush. They were out Friday evening and Saturday helping with the storm damage and cleaning up. He would like to hire Jordan Lanum and provide CDL training with a one year contract for the county to pay for his CDL training, and if he leaves before 1 year then he will reimburse the county. Training cost is \$2,300, and he should be done by the end of May. Commissioner Weaver motioned to approve the hiring of Jordan Lanum and provide training and for Commissioner Brewer to sign the contract. Commissioner Uitts seconded. Motion carried 3-0.

**IN THE MATTER OF EMA REPORT**

Darrell Sanders gave a report on Friday's storm stating according to the National Weather Service there were wind gusts up to 110 mph and the tornado stayed on the ground for 6.9 miles and was 100 yards wide. The tornado lifted around Greenlawn Cemetery. He stated all agencies and departments that responded did a great job. He stated it starts with dispatch and told Renee and her staff at Central Dispatch they did a great job.

Commissioner Weaver stated he monitored the radio and said everyone did a fantastic job. He said there were several people called in without power that were on oxygen. Darrell stated that they do not have the facility to house all those people and apartments are private entities and should have back up generators. Darrell stated they passed out 600 of the hand crank radios for people out in the small towns. Every small town has those now.

## **IN THE MATTER OF OLD BUSINESS**

Commissioner Brewer presented two statements of just compensation for the offers for Good Oil Company for the purchase of the Right of Way acquisition as well as for damages to their buildings. Commissioner Uitts motioned to approve the Statement of the basis for just compensation for parcels 2C-2G, Commissioner Weaver seconded. Motion carried 3-0. Commissioner Uitts motioned to approve the Statement of the basis for just compensation for parcels 2,2A,2B, & 2H. Commissioner Weaver seconded. Motion carried 3-0.

Chris Wheatley from BF&S presented documents for the roundabout project. Bids were opened on February 7th. The lowest bidder was Milestone Contractors for \$4,807,725.

Commissioner Uitts motioned to approve and sign Milestone Contractors notice of award for the Roundabout Project. Commissioner Weaver seconded. Motion carried 3-0

Commissioner Uitts motioned to approve the Agreement between the owner (Clinton County Board of Commissioners) and contractor ( Milestone) for the construction contract. Commissioner Weaver seconded. Motion carried 3-0.

Commissioner Uitts motioned to approve the Notice to Proceed contingent upon working out the details of the Right of Way with Mr. Good. Commissioner Weaver seconded. Motion carried 3-0.

Chris Wheatley presented a change order deduction. This is deducting some water main relocation that they originally anticipated would need to be done. They were able to work out a redesign that Frankfort Utilities approved to eliminate that relocation. The change order deducts \$255,420.32 from the contract. Commissioner Weaver motioned to approve the change order. Commissioner Uitts seconded. Motion carried 3-0.

Commissioner Weaver commended Commissioners Uitts and Brewer for their hard work on these projects since 2018.

Council President Alan Dunn addressed the financial aspect of the contract stating from the time this project was envisioned and began the design we've had an unprecedented period of inflation that made the project come in at much higher bid levels. To cover some of the cost over run they will need to utilize some of the ARPA money. The county received 6.3 million in total and has committed 5 million to the annex/courthouse projects and have some in reserve. The commissioner will need to amend the ARPA Ordinance to include that we are budgeting 1 million of the remaining 1.3 million towards the roundabout project. After the commissioners amend the ordinance, council will need to follow up with the appropriation of the funds.

## **IN THE MATTER OF NEW BUSINESS**

Commissioner Brewer presented the INDOT Interlocal Agreement. INDOT is contributing 1.5 million to the roundabout project as well as paying the inspection fees. Commissioner Uitts motioned to approve the Interlocal Agreement with INDOT. Commissioner Weaver seconded. Motion carried 3-0. Commissioner Brewer stated there have been some people against the roundabout but ultimately this is an economic development tool. Banderas Point would not have come if we did not have the roundabout, and since the announcement of the roundabout there have been multiple interests in the development of that area. This allows access to the north.

Commissioner Brewer stated this has been a team effort and gives a lot of credit to Senator Buchanon, Representative Genda, former Senator Brandt Hershman that went to bat for Clinton County on a legislative level. One person that really stepped up for Clinton County was Lieutenant Governor Suzanne Crouch. She saw the vision and how important it was to our community, and once she got involved this started rolling. This would not be possible without her.

Commissioner Brewer stated the commissioners have received the DLGF report and the I-65 Parcel list. These are related to the redevelopment commission and the TIF district.

## **IN THE MATTER OF DEPARTMENT HEAD REPORTS**

Renee Crick stated she could not be more proud of her staff during the Friday storm events. Ashlyn Orem, Gloria Leonard, Jennifer Sullivan were on duty. Caitlyn Mathews, Sabine Grice, and Michael Clouser came in to help with the numerous calls.

Renee stated next week from April 9th to the 15th is National Public Safety Telecommunicators week. Wednesday she will be coordinating with Nancy Elsea for the Learning to Lead Public Safety Day. This will be at the fairgrounds from 8:30-2:00. Commissioners thanked her and her staff for an outstanding job.

Steven Deckard stated at a January council meeting there was a new plan for EMS presented and conversation that took place after. In the conversation he said something that was hurtful and took a moment to make a public apology.

Rodney Wann reported he has extended an offer for the food inspection position. He has a new individual starting next Monday. He is currently advertising for their Environmental Specialist. They have received another \$406,000 of reimbursement for the vaccines given in the last 3 years.

Darrell Sanders stated they have turned in paperwork for Terri, Matt, and himself for \$45,000 of reimbursements back to the county this year.

Sheriff Kelly reported that he has assigned two deputies for School Resource Officers, one for Clinton Central and one for Clinton Prairie. The school is still willing to pay their salaries. Commissioner Uitts asked what we needed to do to get that done. Sheriff Kelly stated that the schools have the funding for the salaries. The county is only paying for their benefits. He would like to hire two more deputies to replace the SRO's positions. Commissioners stated they approved this back in November last year. Rich stated it is the schools that won't agree to the contract with the county. He was told their attorney's will not sign with the county, and they will only deal with him.

Commissioner Brewer stated for clarity that it is the school that is balking at having the MOU with the county who has the liability, because technically there is no employee at the Clinton County Sheriff's office, they are employees of Clinton County. Sheriff states he does not want to speak for the schools. He was told no, and it has to do with their insurance and a few other things.

Britt Ostler stated that the State Board of Accounts is demanding every single contract the county is in and active right now. The SBOA told her every contract needs to go through the commissioners for approval. She stated if the schools attorneys have a problem with that they need to contact the SBOA.

Britt stated if these are employees of the county she will need a job description. She also needs to know if she is invoicing the schools and how that will work. Ashley Kelly stated they can pay out of the deputies salary lines and accept reimbursements to the county. Ashley will invoice the schools.

Commissioner Brewer stated he had reached out to Tanya, the sheriff's attorney to get what the county needed to put in the agreement from a liability, benefits, and invoicing standpoint. All of the details that get left out of agreements that are important to making it function and flow correctly.

Council President Alan Dunn stated from the council's perspective that they did vote 7-0 to move forward with the SRO program contingent on there being an acceptable agreement the commissioner's would sign. One concern on the budget side they would like to see in writing some sort of acknowledgement of the school boards that they are willing to take on the full salaries regardless of the wage the county council sets. Secondly there needed to be an exit clause or something that stated what would happen in the event the schools did not get a grant or have the funding to participate with the full salary of the SRO's. Alan feels there does need to be someone from the county government that needs to sign the agreement.

Commissioner Brewer stated the county commissioners are not holding this up, and understands the need is there. Their duties as commissioners are to protect the county's interests.

Sheriff Kelly stated they will place officers at the schools until agreement is in place, and he can't speak for the schools. Britt stated that the school's attorney can call the Auditor's office because SBOA is here now. Commissioner Uitts asked if one of the commissioners could reach out to the superintendent to explain things. Rich was agreeable.

Commissioner Weaver stated that on WILO on Friday, the sheriff stated specifically that the hold up was on the commissioners end. He wants to make sure that everyone understands that the commissioners have never said they are not for the program nor have they said it's mandatory that his name be on the signatory line to get the program going. It is, however, their duty to look at the contract and all of its details. The implication that was stated on the radio that the council and commissioners were holding it up. They have never been against the program but the details of the contract need to be worked out.

Sheriff Kelly stated it is a hold up on this end for a signature. He stated it is stopping the program.

Commissioner Brewer asked if they could see the agreement the school has proposed. Rich stated he would send it.

Renee stated she was just sent a message from INDOT that they will be making an emergency stoppage on I-65 at 10:00 a.m with State Police for approximately 20 minutes.

## IN THE MATTER OF COMMISSIONER REPORTS

Commissioner Weaver addressed some of the topics that the sheriff talked about on WILO Party line last Friday. He stated he was disappointed to hear the sheriff on the radio talk the way he did about the county. The SBOA came in a couple years ago to audit the county. The SBOA does not work for the county, commissioners, or council. They are an auditing function of the State of Indiana. They then share their findings with the council president, commissioner president, and Auditor. Two years ago they found discrepancies and compliance issues that needed to be addressed. The sheriff disagrees with those findings.

Regretfully the commissioners received notice that the Attorney General filed complaints against the sheriff and his wife Ashley for the balance of those findings of two years ago in the audit. He stated the county did not create the headlines, the headlines came from the Attorney General filing. The sheriff talked on the radio about how much money the county has spent on legal fees, and it has been the sheriff that has brought most of the suits against the county including the Prosecutor, the County Attorney and the Commissioners, and we have been forced to defend these situations. This group is defending the county and taxpayer money. The sheriff stated he was disappointed LIT fund wasn't being used, but it is being used to pay for 19 jailers and overtime out of that fund. He stated the sheriff failed to mention how much money he has spent on legal fees out of the commissary fund. From what the commissioners are aware of, the sheriff has spent around \$147,000 in legal fees from the commissary fund just in the last year and 3 months. Commissioner Weaver hopes to back off of some of the "rock throwing" and work together to benefit the county.

Sheriff Kelly asked if he could respond, the commissioners did not allow him to respond.

Commissioner Brewer stated within the last year they had some funds that had not been repaid to the HR Pro benefits as part of an employee benefit package. Commissioner Weaver motioned to allow county attorney Tom Little file a small claims suit. Commissioner Uitts seconded. Motion carried 3-0.

## IN THE MATTER OF CLAIMS

Commissioner Uitts motioned to approve the following claims as submitted, Commissioner Weaver seconded. Motion carried 3-0.

Friday claims dated March 24, 2023 in the amount of \$16,078.14  
Friday claims dated March 31, 2023 in the amount of \$33,708.00  
Bi-weekly claims dated April 3, 2023 in the amount of \$177,982.10  
Court claims dated April 3, 2023 in the amount of \$12,526.25

## IN THE MATTER OF PAYROLL

Commissioner Uitts motioned to approve the payroll as submitted, Commissioner Weaver seconded. Motion carried 3-0.

Payroll dated March 10, 2023 in the amount of \$488,979.46

## IN THE MATTER OF COMMISSIONER MINUTES

Commissioner Uitts motioned to approve regular meeting minutes dated March 20, 2023, and Special Meeting Minutes dated March 24, 2023, seconded by Commissioner Weaver. Motion carried 3-0.

Without any further business to come before the Board of Commissioners, Commissioner Uitts motioned to adjourn the meeting, seconded by Commissioner Weaver at 10:06 a.m. Motion carried 3-0.

THE BOARD OF COMMISSIONERS OF CLINTON COUNTY

  
\_\_\_\_\_  
Jordan Brewer, President

  
\_\_\_\_\_  
Josh Uitts

  
\_\_\_\_\_  
Bert Weaver

ATTEST:

  
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Britt Ostler, Auditor