

**MINUTES OF THE CLINTON COUNTY COMMISSIONERS**

March 19, 2024

9:00 A.M.

The Clinton County Commissioners met for a regular meeting on March 19, 2024 at 9:00 a.m. in the Commissioner Meeting Room, at 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

Bert Weaver

**ABSENT**

Josh Uitts

Others in attendance were Rick Campbell, Carol Price, Tammy Sander, Rodney Wann, Renee Crick, Stephanie Harshbarger, Brett Barton, Liz Stitzel, Kelly Moore, Mike Hensley, 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.

**IN THE MATTER OF PUBLIC COMMENT**

No comments were received.

**IN THE MATTER OF FAIR COUNCIL UPDATE**

Matt Neal presented the 2023 Fair Council Financial Report. They purchased a mower and gator and are having the inmates mow the fairgrounds. Income from barn rent was \$10,000, event income \$95,000, and winter storage income \$8,800. The \$40,000 they receive from the county covers only the utilities for the year. The council would like to use \$45,000 of their building and repair line to build a workshop so they would be able to lock up mowing equipment and tools and have a place to work. They will get quotes for the building. The 2024 fair will be held July 13th-20th. They have a new facebook page: Clinton County Fairgrounds and rentals.

**IN THE MATTER OF COMMUNITY CORRECTIONS**

Brett Barton reported they have a field officer position they would like to fill immediately, and he proposed changing the wording on the job description to read full time up to 40 hours. Commissioners approve the change in wording.

Brett Barton presented a Sentinel contract amendment. Commissioner Weaver motioned to approve the contract amendment. Commissioner Brewer seconded. Motion carried 2-0.

**IN THE MATTER OF CLERK EMPLOYEE JOB DESCRIPTION CHANGE**

Stephanie Harshbarger proposed a change in the job description/title change of one of her employees. She would like to remove the title 'scanner' from the job description. Commissioner Weaver motioned to approve the change to the job description. Commissioner Brewer seconded. Motion carried 2-0. It will need to go to council for approval.

**IN THE MATTER OF JOB DESCRIPTION CHANGES**

Commissioner Brewer presented the Courthouse Security Supervisor and the Jail Training Supervisor Job Description Changes. Commissioner Weaver motioned to approve the changes. Commissioner Brewer seconded. Motion carried 2-0. Commissioner Weaver motioned to approve the corrected title for the Public Health Nurse, Tuberculosis, Communicable Disease Specialist. Commissioner Brewer seconded. Motion carried 2-0.

**IN THE MATTER OF KOORSEN**

Renee Crick stated she had 2 quotes from Koorsen. One is for \$1,428.99 to investigate to see why the dampers are not functioning properly. The other is for \$5,000 for a study Koorsen said we need to have, but there needs to be some conversations about it. Commissioner Weaver motioned to table both quotes until Commissioner Uitts can have further conversations with Koorsen. Commissioner Brewer seconded. Motion carried 2-0.

## **IN THE MATTER OF HIGHWAY UPDATE**

Rick Campbell presented an unofficial detour for State Road 38 east of Mulberry for 850 West north to 700 North to 421 for the commissioners to sign. He would also like to post temporary speed limit signs, 30 mph on 850 West and 45 mph 700 North. The expected completion of the project is in October. Commissioner Weaver motioned to approve temporary speed limit signs. Commissioner Brewer seconded. Motion carried 2-0.

Rick stated he and Dan spoke with Civilcon about extra parts to make the pipe a little longer and stronger for bridge 100 on 830 East. It's now 32 feet long and he would like to make it 40 feet long so they won't need a guardrail. It will cost about \$23,600 and take about 4-6 weeks to get parts and once they get the parts they will shut the road down and tear out the old one out and get the new in. Commissioner Weaver motioned to approve this work. Commissioner Brewer seconded. Motion carried 2-0.

Rick stated he went out to the solar farm Monday and met with Luke and they are going to pave over 10 miles of road that was used around that area. They should be done paving by the end of May.

Commissioner Brewer stated that the current contract with Landfill states that the company shall assist the county with the clean up of illegal dumping sites to promote a clean and healthy environment providing free solid waste disposal of non hazardous waste.

## **IN THE MATTER OF AREA PLAN UPDATE/LUPAC #03-24-374/ORDINANCE 2024-03**

Liz Stitzel stated they will need a county mower soon. Commissioner Weaver motioned to proceed with Platinum Landscaping for the county mowing. Commissioner Brewer seconded. Motion carried 2-0.

Liz presented LUPAC #03-24-374; an amendment proposed by Robin S. Black-Paul to rezone more than 5 acres of land from A-1 Agricultural zoning to the B-4 general business zoning district. Area Plan Commission has given it a favorable recommendation. There were no objections to this rezoning. Commissioner Weaver motioned to approve LUPAC #03-24-374 and adopt Ordinance 2024-03. Commissioner Brewer seconded. Motion carried 2-0.

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

### **Forest Property**

Liz stated they received an updated letter from Mr. Moore's attorney. They are at a point to make a decision of coming to an agreement with Mr. Moore or proceed with the tearing down the house. Should the commissioners accept an agreement they have a timeline of having the house 100% completed and the septic installed by September 15, 2024. They will have an engineer provide an analysis on the two sections of the house that there were structural concerns, and either submit a letter stating they are safe or what repairs need to be made. They discussed getting a performance bond and creating a set of binding commitments that ride on the property and are recorded. Mr. Moore has paid the \$100 fine, and he has a septic permit.

Commissioner Brewer stated we have received a letter from a neighbor Jackie Sheets that she is in support of Mr. Moore's attempt to remodel the house. Jackie also spoke in regards to her support of Mr. Moore completing the house.

Michael Andreoli the attorney for Mr. Moore stated that Mr. Moore is the owner of the house and would sign the letter of commitment and have it recorded. They would be happy to get an engineer to provide an analysis of the structure.

Stacy Cole stated she's had to live next to this house and doesn't understand why we have to hold his hand through this process. Projects have remained incomplete, and it's damaging to her property value. They have concerns of how he gets access to the back of his property. She stated she would be pursuing litigation for Indiana Code 32 36-6. She and Jon requested that the commissioners move forward with the demolition of this property.

Jon Cole stated Mr. Moore didn't want to pay for a surveyor and just started digging holes in their property and a neighbor's property. He wanted to know who he holds responsible for damages to his property. He wants the commissioners to move forward to demolish this house because he's already dealt with this for 6 years.

Commissioners stated they don't like to be in this position and discussed the options and outcomes at length.

Michael Moore stated that if he doesn't get it done by September 15th he will walk away. Mr. Andreoli stated they agree to get some type of performance bond and the goal is to get the structure done and give assurances.

There was lengthy discussion about the performance bond and the stipulations. Commissioner Brewer stated what they would consider would be to grant the extension until September 15th, they will have commitments, a performance bond and if it's not completed by September 15th the property gets turned over to the commissioners. Mr. Andreoli stated he's not sure he's willing to commit to the property being turned over. His client would be willing to execute a deed and put it into escrow and transfer the property to the county and work out an agreement subject to Mr. Moore getting the project done under the timeline of September 15th. He doesn't want to put up a bond in that situation, he'll just give the property to the county. They will agree to all the materials kept in the property and not be removed.

Commissioner Brewer stated they would be agreeable to that arrangement. Liz believed they could have documents prepared before the next meeting. Mr. Moore stated he accepted all the terms and the completion date. Commissioner Weaver motioned to continue the bids until the next meeting. Commissioner Brewer seconded. Motion carried 2-0. Commissioner Weaver motioned to accept the terms to put the property in escrow with the commitments and completion date of September 15th. Commissioner Brewer seconded. Motion carried 2-0.

#### **Envoy Pay Apps**

Commissioner Weaver motioned to approve courthouse pay app #5 in the amount of \$109,901.77, Annex pay app #5 in the amount of \$642,720.91, and Annex pay app #4 in the amount of \$56,688.32. Commissioner Brewer seconded. Motion carried 2-0.

#### **Koorsen**

Commissioner Weaver motioned to add to the county's agreement with Koorsen to inspect the emergency exit lights at the fairgrounds for the amount of \$120.00 annually. Commissioner Brewer seconded. Motion carried 2-0.

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

##### **Wild Cat Solid Waste District Appointment**

Commissioner Weaver motioned to appoint Matt Coomer to the Wild Cat Solid Waste District. Commissioner Brewer seconded. Motion carried 2-0.

##### **Clinton County Building Corporation Appointment**

Commissioner Weaver motioned to appoint Mike Sexton to the Clinton County Building Corporation. Commissioner Brewer seconded. Motion carried 2-0.

##### **Gibson Software Quotes**

Commissioner Weaver motioned to approve Gibson Software Quotes for the amount of \$503.83 and \$2,925.81. Commissioner Brewer seconded. Motion carried 2-0.

##### **Courthouse Lawn Sign Placements**

Commissioner Weaver motioned to approve the sign placement request for New Beginning Ministry for their Pork Chop Dinner on April 20th. Commissioner Brewer seconded. Motion carried 2-0

Commissioner Weaver motioned to approve the sign placement request for Paul Phillippe strawberry festival on June 7th. Commissioner Brewer seconded. Motion carried 2-0.

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

No Department Head reports were received.

#### **IN THE MATTER OF COMMISSIONER REPORT**

Commissioner Weaver reported they had met with the Solar Farm people and they have agreed to pave 10 miles of roads around the solar farm area to the county specs.

Commissioner Weaver motioned to close all Clinton County non-essential offices and the courts at 1:00 p.m. on Monday, April 8th for the Solar Eclipse event. Commissioner Brewer seconded. Motion carried 2-0.

#### **IN THE MATTER OF CLAIMS**

Commissioner Weaver motioned to approve the following claims as submitted, Commissioner Brewer seconded. Motion carried 2-0.

Friday claims dated March 15, 2024 in the amount of \$12,773.45

Bi-weekly claims dated March 19, 2024 in the amount of \$466,889.76

Court claims dated March 19, 2024 in the amount of \$13,693.03

**IN THE MATTER OF PAYROLL**

Commissioner Weaver motioned to approve the payroll as submitted, Commissioner Brewer seconded. Motion carried 2-0.

Payroll dated February 23, 2024 in the amount of \$533,127.89

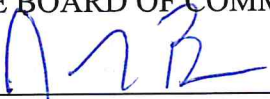
**IN THE MATTER OF COMMISSIONER MINUTES**

Commissioner Weaver motioned to approve regular meeting minutes dated March 5, 2024, seconded by Commissioner Brewer. Motion carried 2-0.


Next meeting will be April 3, 2024.

Without any further business to come before the Board of Commissioners, Commissioner Weaver motioned to adjourn the meeting, seconded by Commissioner Brewer at 10:25 a.m. Motion carried 2-0.

THE BOARD OF COMMISSIONERS OF CLINTON COUNTY

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

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

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

ATTEST:

\_\_\_\_\_  
Britt Ostler, Auditor