

MINUTES OF THE CLINTON COUNTY COMMISSIONERS

October 17, 2023

9:00 A.M.

The Clinton County Commissioners met for a regular meeting on October 17, 2023 at 9:00 a.m. at the Frankfort Municipal Airport, 3009 IN-28, 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, Rich Kelly, Ashley Kelly, Shawn Mayfield, Rodney Wann, Renee Crick, Alan Dunn, Liz Stitzel, 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

Rashel Rodkey expressed her concerns regarding the proposed solar field in Rossville and had questions regarding the proposed solar field and the existing Hardy Hills Solar Farm. She will send her questions to the commissioner's office to be answered.

Carolyn Mosson spoke on behalf of some of the residents at Milner's Health Care regarding the solar farm, stating it would be in their front and back yards, and they oppose the solar farm.

Commissioner Brewer stated that this potential project is in the very early stages and is not on the radar of the commissioners for voting at this time. There are multiple steps ahead of the commissioners that could potentially shut it down before getting to them. According to the Area Plan Director an application for the Solar Farm in Rossville has not been submitted. The commissioners hear what the citizens are saying and will take that into consideration when the time comes.

Carolyn Mosson asked if the Town of Rossville Board had reached out to the commissioners regarding the solar farm and what they would need to do as the town of Rossville to help make the decision.

Area Plan Director Liz Stitzel explained how the process works for any solar application wanting to develop inside urban growth area boundaries. Her understanding is they are so early in the process that they don't even know if they will be able to get MISO approval. If they do get approval she anticipates at some point they will file an application with the Area Plan office. Liz suggests people call her office if they haven't heard anything in awhile and want to know if an application has been filed.

Commissioner Brewer stated that their job as commissioners is to stay open minded in receiving the information but don't mistake that for being for or against any project. He has not had any direct communication with the Rossville Town Board but would be more than willing to talk to them.

Carin Moskovitz stated she was there to talk about animal control again. She wanted to know how the animal control money is allocated. She does not like the way animal control handled a cat situation in her neighborhood. Commissioner Brewer stated that since she doesn't like how animal control is being handled she can bring a proposed change for them to consider. Carin stated that both the Sheriff office and city police have both stepped up and said they would do it, they just need a facility to do it in. Commissioner Brewer said he has not heard that. Carin stated Scott Shoemaker stood up and talked about that at their meeting. Commissioner Brewer stated that's perfect and the city can take over all of this because all the problems are in the city. He doesn't get complaints from the county residents. Commissioner Weaver stated 72% of the calls are in the city. Carin stated the city is in the county and she doesn't understand how we don't talk. Commissioner Weaver stated for a long time the city did not contribute any funds to animal control. He went to the city and got them to agree on contributing \$50,000 this year. The same problems are occurring in all the surrounding counties: the animal shelters are full and cannot take anymore cats. He has had multiple conversations with the Humane Society and they are working on a new contract, but it's a huge problem not easily fixed.

Commissioner Brewer stated this is a problem they have inherited and are currently working on addressing some of the issues that she's brought up to the board. It was suggested she get in touch with Humane Society Board member Genie Newhart for the financials in regards to what the animal control money is spent on.

IN THE MATTER OF THE TOWN OF MULBERRY

Dave Jones from the Town of Mulberry Board stated he was there to answer any questions or concerns regarding the proposed Dollar General in Mulberry and he and many others were in favor of this, and they have voted to extend utilities to that area. Commissioner Weaver stated he's had more positive than negative reach out to him and he personally thinks its an excellent idea. The commissioners did not have any questions or concerns at this point.

IN THE MATTER OF FIRE EXTINGUISHER CONTRACT

Commissioner Brewer stated Commissioner Uitts has been working with Adam Lucas but he is not here and he personally has not seen a contract. Adam, owner of Lucas Fire and Safety stated that he had purchased R & S Extinguishers in 2022 and talked about his personal background and experience. He gave a written quote on what it would cost to service the county offices fire extinguishers. Commissioner Weaver suggested that he reach out to Commissioner Uitts to work on the contract.

IN THE MATTER OF PAUL PHILLIPPE

Dawn Layton stated that Commissioner Brewer should be getting the new grant agreement soon to electronically sign. Next year is their compliance year and will need one of the commissioners to do a site visit to look at the facility and vehicles to be sure they are in compliance. Commissioner Weaver stated he would be willing to do it.

IN THE MATTER OF INDIGITAL PROPOSAL

Renee Crick reported she already forwarded the commissioners the INdigital contract and would like to utilize the extra LIT funds in the amount of \$31,236.94 to purchase the phone position that she is adding in 2024. Commissioner Weaver motioned to approve the Solocom answering position. Commissioner Brewer seconded. Motion carried 3-0.

IN THE MATTER OF AREA PLAN UPDATE

Liz Stitzel stated she didn't have anything new to report.

IN THE MATTER OF HIGHWAY UPDATE

Rick Campbell reported the community crossings project for Kelly Road has been completed for \$1,309,066.14 under the 1.5 million that was projected. The deck was poured on bridge #67 a couple weeks ago and they have been getting the road ready to make the approaches, and there is a November 15th completion date. The two new loaders came in and they came out to appraise the old ones. They are on schedule to get a new truck in December and the others should soon follow.

Commissioner Weaver motioned to approve the extended liquid asphalt contract to carry into 2024 with no price increase. Commissioner seconded. Motion carried 2-0.

IN THE MATTER OF OLD BUSINESS

Regarding the Michael Moore property in Forest, Liz Stitzel gave the commissioners updated photos of the property that shows one of the sections the inspector is concerned about. She stated Mr. Moore did get soil tests which were submitted to the Health Department, and the Health Department did release minimum specs. about two weeks ago. There's been no contact with the installer and no septic permit being reviewed or issued. It is up to the commissioners if they want to cite the property and move to condemnation. Rodney stated there has not been any plans submitted so far.

Mr. Moore stated he did get the soil test per their request, and he never heard back from anyone about the soil samples and he didn't know where they were at with it. He said he wasn't condemning his house, the floors and walls have been restored. Commissioner Brewer stated it was up to him to do the follow up and find someone to do the install.

Commissioner Brewer stated the recommendation of the Area Plan Director is the house is uninhabitable and he isn't going to value Mr. Moore's opinion over Area Plans.

Mr. Cole stated his questions have been answered and declined to speak any further on the issue.

Commissioner Weaver stated there were also a couple issues not related to the septic that needed to be addressed. One being the fence in the front, and two, the junk on the side of the property. Mr. Moore stated he moved the fence onto his property. Commissioner Weaver motioned to move forward with the condemnation. Commissioner Brewer seconded. Motion carried 2-0.

IN THE MATTER OF NEW BUSINESS

Commissioner Brewer read off painting quotes from Nelson Painting for the fairgrounds as follows:

Edward Jones Building	\$8,250.00
hog roof	\$5,500.00
Clinton Hall	\$7,200.00

Commissioner Weaver motioned to accept the painting quotes from Nelson Painting, Commissioner Brewer seconded. Motion carried 2-0.

Resolution 2023-05-Amendment to the county TIF area.

Alan Dunn explained what TIF means stating it is the Tax Increment Financing which is an economic development tool available to counties whereby the tax revenue from a given area that is serviced by new infrastructure is allowed to be put off to the side to help pay for that infrastructure. The taxes from the people that benefited from the new infrastructure pay for that infrastructure. This area is the west side of Frankfort and I-65 where the county just put in new sewer and water pipes. The county established a TIF district so that the taxes generated from the new development can be used to help pay for the installation of the infrastructure. The Resolution today is to modify that TIF area by splitting it and creating a second TIF area. The existing TIF area is called the I-65 TIF allocation area and the second will be the State Road 28 Corridor TIF area. The reason for doing this is to get better in line with bonds we issued for the sewer/water pipes that were for a 35 year period. The TIF districts have a 25 year limit and ours are 9 years old. By creating this new area we get to restart that clock which will extend that window and better match the bond repayment schedule. It does not change anyone's tax rate. This is step 3 of a 4 step process and if approved by the commissioners it will move on to the Redevelopment Commission that meets on the second Friday of November where they will have a public hearing.

Commissioner Weaver motioned to approve Resolution 2023-05 Amendment to the County TIF Area. Commissioner Brewer seconded. Motion carried 2-0.

Ordinance 2023-07-Establishing a Capital Asset and Procurement and Disposal Policy

Commissioner Brewer read off the highlights of procurement procedure policy: The Clinton County Board of Commissioners are the purchasing agency and the purchase of machinery, equipment and services is at the sole discretion of the commissioners. Department Heads should first present their request for these items to the commissioners for approval then to the council for funding. All contracts binding the county for purchases of machinery, equipment and services shall be signed and executed by the commissioners. This applies to purchases over \$5,000. Any violation of the ordinance may result in said item not being licensed, insured or claim approved. Upon and only by prior approval can assets that are listed for the county be disposed of.

Commissioner Weaver motioned to approve Ordinance 2023-07. Commissioner Brewer seconded. Motion carried 2-0.

Commissioner Weaver motioned to approve the sign placement request from Friends of the Frankfort Public Library for their annual art sale exhibit and fundraiser. Commissioner Brewer seconded. Motion carried 2-0.

IN THE MATTER OF DEPARTMENT HEAD REPORTS

Commissioner Brewer asked Sheriff Kelly if he brought the list of proposed recipients of the 6 new Tahoes and the bill of sale. Sheriff Kelly stated he can get them the list; it's for the administrative staff- chief deputy, captain, 3 detectives and Ryan West. Commissioner Brewer asked that he email those to us. Sheriff Kelly will see if the dealership will send the other information to them.

Commissioner Brewer stated he knows they approved the 6 Tahoes but doesn't recall approving the new truck for the sheriff. Sheriff Kelly states he had 7 vehicles in the budget for 2023. The truck is a part of the 7. Kelly Cheverolet did not have the 7, they looked and found one at Alsop. The removal of 10 vehicles, 7 of them non functioning and gave them the ability to trade in and get that vehicle. He understands the new procurement process. Previous times he was budgeted for 7 vehicles and he purchased 7 vehicles. He will go through the commissioners for insurance and procurements moving forward.

Commissioner Brewer said his concern is he can only find where they approved 6 patrol vehicles and not 7 vehicles, and would like him to show where they approved 7. Ashley Kelly stated the 3 year plan was 9-9-7. Commissioner Brewer stated that's not correct, the plan was never 9-9-7. We may have added some because of a wreck. Sheriff Kelly states where the loss of translation is, they were approved a budgeted amount for 7 vehicles and he doesn't know how or why that didn't get to the commissioners. He will look at everything they have to see where they are at on that portion of it.

Commissioner Brewer stated that the issue they are going to be dealing with is with the new take home vehicle policy, he thinks there are 47 vehicles that are currently insured at the Sheriff Department. Based on the new handbook the commissioners have the sole discretion on who is assigned take home vehicles. They will be

going through and making some changes. In his opinion there is no reason to have courthouse security, jailers, and additional people have take home vehicles. He thinks for all vehicles including the motorcycles and trailers that number needs to be about 40, and that will be all that we insure in terms of vehicle assets. The sheriff can propose who he wants them assigned to and the commissioners will review and either make changes or approve it. One thing that has happened that the sheriff may not be aware of is we have security and jail officers using county vehicles working their second job using their county asset to make side income. He understands merit deputies doing this but nobody outside of those deputies.

Sheriff Kelly responded by saying the special deputies have the same arrest power and he thinks it will take further discussion.

Commissioner Weaver stated he was at Walmart and one of the courthouse security officers pulled up in what he thought was the handicap parking and ran into Walmart in shorts and when he asked what he was doing the officer stated he was getting ready to go fishing. Sheriff Kelly stated he should have been notified when this occurred and he will address it.

Commissioner Weaver also stated that under state guidelines that the commissioners are the purchasing agents and they sign the contracts for the county. We didn't need to do this ordinance because it's always been that way. Commissioner Brewer stated his issue is with the take home vehicles, not an officer getting a pool car to carry out assigned duty. For him to move forward with the truck at this point he's going to have to see where he agreed to 7 because he agreed to 6 vehicles and go from there. At this point he has no interest in approving the truck. He's received a lot of calls from people that don't think the sheriff needs the truck and he is listening to his constituents.

Rodney Wann sought approval for the job description for a part-time STI clinic coordinator position. Commissioner Weaver motioned to approve. Commissioner Brewer seconded. Motion carried 2-0.

IN THE MATTER OF COMMISSIONER REPORTS

Commissioner Weaver stated he is still working with the Humane Society on the issues and on a new lease agreement that expired two years ago.

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 October 13, 2023 in the amount of \$14,334.72

Bi-weekly claims dated October 17, 2023 in the amount of \$1,566,641.48

Court claims dated October 17, 2023 in the amount of \$12,798.19

Commissioner Weaver motioned to table the sheriff truck-Also Chevrolet claim dated October 12, 2023 in the amount of \$19,103.20. Commissioner Brewer seconded. Motion carried 2-0.

IN THE MATTER OF COMMISSIONER MINUTES

Commissioner Weaver motioned to approve regular meeting minutes dated September 18, 2023, and Special meeting minutes dated October 6, 2023 seconded by Commissioner Brewer. Motion carried 2-0.

Next meeting will be held on November 6th at the airport.

Without any further business to come before the Board of Commissioners, Commissioner Weaver motioned to adjourn the meeting, seconded by Commissioner Brewer at 10:22 a.m. Motion carried 2-0.

THE BOARD OF COMMISSIONERS OF CLINTON COUNTY


Jordan Brewer, President


Josh Uitts


Bert Weaver

ATTEST:

Britt Ostler, Auditor