

MINUTES FOR THE  
CLINTON COUNTY COUNCIL MEETING  
MAY 9, 2023

The Clinton County Council met in the Commissioner's Meeting Room at the Clinton County Courthouse, Frankfort, Indiana on May 9, 2023 at the hour of 9:00 a.m. regular Council meeting, pursuant in accordance with law and publication as evidence by proof of the minutes of the last meeting, and any other business that may come before it. Council President Alan Dunn called the meeting to order and led the Pledge of Allegiance. On call to order the following members were shown to be present or absent.

**PRESENT**

Alan Dunn  
Clark Beard  
Jeff Chynoweth

Mike Hensley  
Carol Price  
Todd Corrie

**ABSENT**

Joe Mink

Britt A Ostler, Clinton County Auditor, was present to record the proceedings of the Council. Tim Elston was also present to broadcast the meeting virtually.

Others present were, Janet Lloyd, Shawn Mayfield, Ashley Kelly, Rich Kelly, Bert Weaver, Ken Hartman, Rick Campbell, Brett Todd, Eric Spencer, Zach Klutz, Emma Adlam, Rodney Wann, Steven Deckard, Eric Spencer, Liz Stitzel and others as mentioned in the minutes.

Council member Chynoweth moved, seconded by Council member Beard to approve the minutes of the April 11, 2023, meeting. Motion carried 6-0.

**COMMUNITY CORRECTIONS**

Community Corrections Director Brett Barton wasn't present to give a monthly report.

**PROBATION**

A report from Chief Probation Officer Nancy Ward stated that juvenile detention costs for the month of April were \$1050.00.

**NEW BUSINESS**

**CF-1's Chynoweth Real Estate Holdings, LLC and Phillips Saw & Tool, Inc**

Jordan Chynoweth was here to report on the numbers that were submitted for the tax abatement. This will be the last year for their abatement. He was very appreciative, stating that the abatement was integral to the continued success of his businesses through COVID. He also gave an overview of Phillips Saw & Tool, Inc.

Motion made by Council member Price, seconded by Council member Hensley, to accept said CF-1's, passed 5-0 with Council member Chynoweth abstaining.

**Marissa Mills, Director, The Crossing School**

Ms. Mills gave a report on the current status of The Crossing School. She expressed the appreciation of her board and staff for the County's continued financial support. The Crossing is in its 14<sup>th</sup> year of operations. NHK, Document Mountain, and Co-Alliance are just a few of the local businesses that have partnered to provide internships and work experience to

students. The school has a 90 percent attendance rating with 350 students completing graduation; some students also return to their schools to graduate. 100% of the students are in job internships. Kylie Fields, a current student, spoke about her experience at The Crossing.

### **2023 Lease Rental Bonds (Courthouse & Annex Building Projects)**

#### **Ordinance 2023-08 An Ordinance Authorizing the Form of and Execution of Lease, Appropriating the Lease Rentals and Approving the Issuance of Bonds and Related Matters**

Zach Klutz with Taft Law spoke regarding the Ordinance and bond projects for the Courthouse and Annex. In order to enter into a lease financing, the body needs to receive a petition with at least 50 taxpayers or registered voter signatures. Said petition.(Required Taxpayer Petition Requesting County Enter Into Lease Agreement With Building Corporation for the Courthouse and Annex Building Projects) was submitted to Auditor Ostler with 58 signatures, 52 of which were registered voters or taxpayers.

A motion to accept the submission of said petition by taxpayers by Council member Corrie, seconded by Council member Chynoweth, passed 6-0.

Mr. Klutz then detailed the need to hold a public hearing on the underlying lease agreement, with the County being the Lessee and the Clinton County Building Corporation as Lessor. The Building Corporation met May 1<sup>st</sup> and approved the lease and issuance of bond. Notice of today's hearing was published April 26<sup>th</sup> detailing the terms of the bond: not to exceed 20 years; distributions not to exceed \$2.5 million/year; and payments will be from levied property taxes.

Public hearing held on Lease Agreement and Additional Appropriation and closed with no public comments.

The final statutory requirement regarding this bond was the approval of Ordinance 2023-08: An Ordinance Authorizing the Form of and Execution of Lease, Appropriating the Lease Rentals and Approving the Issuance of Bonds and Related Matters. This ordinance authorizes and approves the form of the lease and ratifies the approval of the issuance of the bond by the Building Corporation not to exceed \$2.5 million/year with the exact amount to be determined when the bonds are approved. In addition, it recommends the execution by the Commissioners, which will happen at their meeting on May 15<sup>th</sup>. The closing is scheduled to take place the end of August 2023.

A motion to approve Ordinance 2023-08 passed 6-0 upon motion by Council member Chynoweth, seconded by Council member Price.

### **2023 General Obligation Bonds (Capital Expenditure Reimbursement)**

#### **Ordinance 2023-09**

Ordinance No. 2023-09 An Ordinance of the County Council of the County of Clinton, Indiana, Authorizing the Issuance and Sale of Bonds of the County for the Purpose of Procuring Funds. President Dunn went on to explain that this bond is a "Plan B" of sorts.

In November of 2022, this body passed Ordinance 2022-09, an ordinance establishing an EMS Local Option Income Tax rate of .2% to support the EMS department. Due to a technicality in the submission, the Ordinance didn't go into full effect at the state level. There was an error in the chart contained within the document where a rate was stated as .5 and should've been 0, so we did not start collecting that money due to this error. This is problematic since ½ of the EMS budget was based on those collections. The Council was left to figure out how to cover

the gap of that shortfall. President Dunn thanked DLGF State Commissioner Wes Bennett for his assistance. However, due to statutory issues, his hands were tied. "Plan A" was to work with Senator Brian Buchanan to literally change the law to allow us to start collecting those funds in July 2023. A clause was introduced into legislation, but did not pass.

The Council had already prepared for this possibility and had looked into financing through the Indiana Bond Bank, which operates through the Indiana State Treasurer's office, to borrow \$1.59 million, not to exceed \$1,700,000. This option has a minimal impact on the tax payer as it will be paid back over a 4 year period, with a favorable interest rate of 3.3%. These monies will enable the EMS program to continue to function as needed until the County starts collecting LIT monies for that department in 2024.

In order to receive the bond proceeds, the Council first needs to approve Ordinance 2023-09. Upon motion by Council member Beard, seconded by Council member Hensley, Ordinance 2023-09 An Ordinance of the County Council of the County of Clinton, Indiana, Authorizing the Issuance and Sale of Bonds of the County for the Purpose of Procuring Funds was passed 6-0.

Mr. Klutz explained that a Qualified Entity Purchase Agreement is required by the Indiana Bond Bank upon approval of bond and will be entered into with the County at that time.

Upon motion by Council member Price, seconded by Council member Chynoweth, a motion to enter into such an agreement with the Indiana Bond Bank passed 6-0.

As required, a public hearing was held regarding appropriation of the bond proceeds. Said hearing closed with no comments. Notice of hearing had been published on April 26<sup>th</sup>.

### **Resolution 2023-02 - A Resolution of the County Council to Correct Error in Ordinance 2022-09**

As the final step in the process to remedy the EMS LIT issue, approval of a resolution to correct the error in the chart within Ordinance 2022-09, as previously explained, needs to be approved. Upon motion by Council member Beard, seconded by Council member Corrie, Resolution 2023-02 passed 6-0 as presented.

### **OLD BUSINESS**

#### **Additional Appropriations Ordinance No. CO-2023-07**

President Dunn read each request and then asked for a motion for approval of the entire slate of Additional Appropriations. Upon motion by Council member Chynoweth, seconded by Council member Hensley, Motion to approve the following Additional Appropriations carried 6-0:

\$593.77 request from Auditor for General Fund 1000-000-03-0030 EMA Training Facility

\$515.00 request from Sheriff Department for Accident Report Fund 1101-000-04-0001  
Equipment

\$1508.00 request from Community Corrections for CTP Fund 1123-000-01-0002 Employee  
Bonuses

\$10,000.00 request from Drug & Alcohol Coalition for Drug Free Community Fund 1148-001-01-0002 Prevention

\$10,000.00 request from Drug & Alcohol Coalition for Drug Free Community Fund 1148-001-01-0003 Criminal Justice

\$10,000.00 request from Drug & Alcohol Coalition for Drug Free Community Fund 1148-002-01-0002 Treatment

\$27,000.00 request from Drug & Alcohol Coalition for Drug Free Community Fund 1148-001-03-0015 Opioid Settlement Distribution  
\$5290.00 request from Sheriff's Department for Firearms Training Fund 1156-000-04-0040 Weapons & Riot Equip  
\$2000.00 request from Health Department for Board of Health Fund 1159-000-01-0019 Extra Help  
\$200.00 request from Health Department for Board of Health Fund 1159-000-01-0071 SS and Medicare  
\$2500.00 request from Health Department for Board of Health Fund 1159-000-03-0092 Memberships  
\$5000.00 request from Highway Department for Local Road & Street 1169-000-04-0008 Patch Truck  
\$7000.00 request from Highway Department for Local Road & Street 1169-000-04-0011 Drum Roller  
\$4500.00 request from Sheriff's Department for Sex/Violent Offender Admin 1192-000-04-0001 Equipment  
\$2000.00 request from Probation for Adult Probation Fund 2000-000-03-0015 Opioid Settlement Dist  
\$7211.65 request from Probation for Adult Probation Fund 2000-000-03-0086 TRECS  
\$1,500,000.00 request from Auditor for I65/SR28 Interchange Construction 4800-000-04-0002 Roundabout Construction  
\$4000.00 request from Health Department for Travel Immunizations 4905-000-02-0001 Travel Immunizations  
\$1496.00 request from Community Corrections for Project Income Fund 4912-000-03-0061 TRECS Collections  
\$50.00 request from Central Dispatch for Central Dispatch Fund 4958-000-03-0014 Meals, Lodging, Seminars  
\$30,000.00 request from Probation for Opioid Grant Fund 8111-000-03-0015 Opioid Settlement Dist  
\$1,000,000.00 request from Commissioners for ARPA Coronavirus Local Recovery Fund 8950-000-04-0002 Roundabout Construction

### **Transfers for approval**

President Dunn read each request and then asked for a motion for approval of the entire slate of Transfers for Approval. Upon motion by Council member Beard, seconded by Council member Hensley, the Motion to approve the following Transfers carried 6-0:

\$2600.00 from General Fund 1000-750-01-0023 Soil & Water Overtime to 1000-750-01-0021 Conservation Grant Personnel  
\$1545.00 from General Fund 1000-750-03-0057 Soil & Water Storage Unit to 1000-750-01-0021 Conservation Grant Personnel  
\$4620.00 from COVID Testing Grant II 8113-01-0001 Extra Help to 81113-000-02-0004 Misc Equip Replacement  
\$1100.00 from CARES Act Coronavirus Relief Fund 8122-000-03-0003 Interpreter to 8122-000-01-0001 Immunization Staff  
\$100.00 from CARES Act Coronavirus Relief Fund 8122-000-03-0003 Interpreter to 8122-000-01-0031 SS & Medicare  
\$2000.00 from CARES Act Coronavirus Relief Fund 8122-000-03-0005 Conferences to 8122-000-04-0007 Equipment  
\$600.00 from CARES Act Coronavirus Relief Fund 8122-000-03-0008 Mileage to 8122-000-04-0007 Equipment

**Transfers no approval required**

\$4.97 from Project Income 4912-000-03-0030 Maintenance to 4912-000-03-0012 Monitoring Equipment Leasing

\$419.80 from Central Dispatch 4958-000-02-0001 Supplies to 4958-000-02-0004 Shelby Products

President Dunn called the Council's attention to the April 2023 Financial and Budget Status Reports for their review. Council member Chynoweth motioned, seconded by Council member Price, to accept said financial report. Motion carried 6-0.

**Council Reports**

None

**Commissioners**

Bert Weaver thanked the Council for their time spent in coordinating the bonds for the Annex and Courthouse projects.

**DEPARTMENT REPORTS****EMS**

Steven Deckard spoke regarding purchasing new ambulances for years 2025-2026 priced at \$274,971 and \$269,655. Osage would like the County to commit to the purchase of the ambulances due to the ordering timeframe being over two years to receive delivery. This will fit into the typical three year budget cycle for ambulance purchases.

Motion by Council member Price, seconded by Council Chynoweth, to commit to ordering 2 new ambulances for the 2025 and 2026 budget years, passed 6-0.

**Sheriff**

Sheriff Rich Kelly spoke regarding electrical fires in the jail. Motors have caused these fires in the concrete floor of the jail. The motors are for the air handlers and will need replaced soon.

They are in the process of renewing/renegotiating the agreement with the Federal Inmate program. Every 36 months the department has the opportunity to asked for an increased per inmate fee.

The Vest grant is in the renewal process as well.

In the process to finalize hire of the 4 remaining merit deputy positions. That would then bring them to fully staffed.

SRO addendums to the memorandum of understanding are currently with the attorneys and will be covered at the May 15 Commissioner meeting. Replacements for the deputies that moved into those positions still need to happen.

The department is still waiting on delivery of the last round of new Tahoes. Right now they are anticipating this won't occur until after the beginning of 2024.

The Sheriff asked to use \$1000 of Commissary funds for landscaping around the Jail. Motion by Council member Chynoweth, with a second by Council member Hensley, to approve the expenditure not to exceed \$1000, carried 6-0.

Mowing around the Jail and the fairgrounds is currently being done by inmate volunteers. Council member Price asked the Sheriff about the process of the signing the Federal Inmate Housing Agreement. The Sheriff stated it was between himself and federal bureau of prisons. The current amount received by the County is \$68 per inmate per day.

**Health Department**

Rodney Wann introduced Nash Smith as the new Environmental Health inspector.

After finalization of Senate Bill 4 and House Bill 1001, the department is expecting a state distribution in excess of \$600,000 this first year. There is the possibility of it being twice as much the second year. He will be seeking guidance from the Council and Commissioners on how best to utilize these funds. These monies will enable the department to grow in space and manpower. Mr. Wann has spoken with Lorra Archibald from Clinton County Healthy Communities about possible options. President Dunn expressed his desire to see a comprehensive plan developed for how to use these funds to best benefit public health and not "piece-meal" it. Mr. Wann plans to meet with his board to recognize and develop new positions needed within the department and strategically plan the implementation of those jobs. The department may need to do a mid-year change to the Board of Health budget to utilize these funds.

**Central Dispatch**

Renee Crick spoke regarding that the time is approaching that the County will need funding to increase the number of dispatchers being employed. She also expressed her concern regarding the recent electrical issues at the jail.

Meeting adjourned at 10:13 a.m.

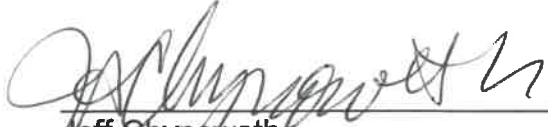
**Clinton County Council**

  
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Alan Dunn, President

  
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Clark Beard-Pro Tem

  
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Mike Hensley

  
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Todd Corrie

  
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Jeff Chynoweth

  
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Carol Price

ATTEST:

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Britt A Ostler, Clinton Co Auditor