

REGULAR MEETING

CLARK COUNTY BOARD OF COMMISSIONERS

April 11th, 2024

The Board of County Commissioners of Clark County, Indiana met in Regular Session on April 11th, 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, County Attorney R. Scott Lewis, Auditor Danny Yost and Commissioners' Assistant Sabrina Corbin.

The Pledge of Allegiance was led by Nate Combs. Prayer was led by Nate Combs.

Approval of the Minutes

Commissioner Coffman made a motion to approve the March 28th, 2024 Regular Meeting Minutes. Commissioner Sellers seconded. Motion approved 3-0.

Danny Yost presented the claims and payroll for April 11th, 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. There was one amendment. The amendment is an Engagement Letter of Advisory Services for the Wheatley Group for the READI 2.0 Project. This will be added as Item F. Motion by Commissioner Coffman to approve the agenda as amended. Commissioner Sellers seconded. Motion approved 3-0.

I. Public Comments:

Kelly Khuri – “I am trying to organize the Utica Fire-Protection District Board. I got a call today but I haven't heard from the other Trustees. There aren't any nameplates for the Plan Commission members. I would ask that you get some so the audience knows who they are.” Kelly also asked if the Commissioners had any business concerning the Plan Commission from last night. Connie Sellers replied, “The meeting just happened last night so no there won't be any tonight.” Kelly thanked the Commissioners for their time.

April 11th, 2024

Sandy Basham – “I’m sure by now everyone heard about the meeting last night. I have a few things to point out. Bart Myer brought up that the items were discussed some time ago. We weren’t there to hear about it which it was discussed as early as 2021. The newspaper is the only way the residents would know about it. The newspaper has a circulation of 7,152. The population of the County is over 125,000. I believe that it might be better to look at a different way of posting that. Possibly adding it to the County website could be beneficial. There has to be a better option for posting the public notices. Several times last night, a committee was brought up talking about Solar. If the Solar company approached this as a community project instead of dividing the community like they did, I don’t think I would be here tonight. If they were truly concerned by addressing the people protesting the project, then they should welcome the opportunity to create a committee. If you as Commissioners were to put a moratorium on Solar for six months, we could create a committee of people for and against it. This could help get things done.”

Christine Horsley – “Being in attendance last night, it was obvious that there were a lot of people for and against it. The passion on both sides is high. Mr. Jason Kuchmay represented the opposition and brought up many important topics for the health and safety of the County as well as the financial implications that come with it. We are looking at it as things that are addressed will affect both those against and for it. Mr. Myers and others acknowledged the need to further update the ordinance about the concerns that have been brought up. I highly encourage the Commissioners to consider enacting a moratorium. Mr. Jason Kuchmay was talking to us about last night and the packet that he gave you all. The topic of things that need to be addressed such as gaps. Also, the property values of those surrounded by these projects can be affected. The setbacks from water sources because of the chemicals. The wildlife is also a concern because where else will they be able to go. These concerns are some of the important ones and there are more.” Christine thanked the Commissioners for their time.

Anita and David Tillett – David provided a picture for their property in Marysville. “The solar project is up next to where our property line is. We would like to have a larger setback from our property line. Property values are an issue and it is an eye sore since we live so close. We were at the meeting last night and we understand that you have plans to submit a list of topics to discuss in the June meeting. There is nothing right now to stop solar companies to submit an application. If they do, they are subject to the ordinance that exists at the time of application. The battery storage was brought up last night. I believe these need to be looked into a little

more because they are dangerous. There are no regulations in the County and the residents need protection. A moratorium would prevent these companies from submitting applications until a proper ordinance is in place. There are other Counties that have enacted a moratorium. We are not saying no to solar and instead are saying not until we fully consider all the issues and put further regulations in place. A committee with views from all sides to come up with provisions for solar and battery storage would be beneficial.”

Neil Spencer – “I’m all for solar but we don’t need it in our fields. I have worked my whole life and given everything I got to this Country and County. I didn’t know the meeting was happening last night until I saw it in the newspaper. I got some misinformation about Solar being brought up last month. I didn’t show up to the meeting and somebody showed up about Solar.”

County Attorney R. Scott Lewis clarified, “He came into the office pretty angry about why there was Solar on the agenda. We told him that there wasn’t anything on the agenda and some people for the public signed up to speak about Solar. We don’t know what someone will talk about when they sign up for public comment. I just wanted to clear that up because Sabrina did tell you correctly but somebody from the public had brought it up.”

Neil Spencer – “East end of Tunnel Mill Road needs to be improved. We have talked about this a few times but now is the time to do something. I can’t take my vehicles out because it’s nothing but a slurry of horse manure. It’s gone on forever and nobody wants to do anything. I just wonder what I need to do to get this going. That road was completed in the late 1950’s. My family helped put the creek rock under old state road 62. That road is a mess. We have equipment going down that road worth millions of dollars. Somebody please look at it for us.” Neil thanked the Commissioners for their time.

II. New Business:

- A. County Attorney R. Scott Lewis presented the Copier Mart Sales Agreement for the Commissioners’ Office. The current lease agreement has expired. The new lease agreement is a 3-year agreement with a payment of \$276 a month which is an \$11/month increase. Service and supplies are included; up to 300,000 pages or 36 months. Motion by Commissioner Sellers to approve the Copier Mart Sales Agreement for the Commissioners’ Office. Seconded by Commissioner Coffman. Motion approved 3-0.

- B.** Sabrina Corbin presented the Change Order for BCM One Monthly Plan. The Commissioners originally agreed to switch from WindStream to BCM One. The base amount was supposed to be around \$1,000.00 a month but the County has grown in size. It is currently costing an additional \$500.00 a month in overages. By adding this change, it takes the County from \$1,000.00 a month to \$1,300.00 a month with an increase of 3,000 outbound minutes to 20,000 outbound minutes. This will ensure that the County doesn't have any more overages. Motion by Commissioner Sellers to approve the Change Order for BCM One Monthly Plan. Seconded by Commissioner Coffman. Motion approved 3-0.
- C.** County Attorney R. Scott Lewis presented the ARPA Subrecipient Agreement with Watson Water Company. The County recently pledged \$1,000,000.00 from the ARPA funds for the category under the Clean Water Infrastructure. The scope of work is to provide services for the design and construction of a booster pump station, a ground storage tank facility, and related improvements for the provision of clean drinking water located in and around the Shadow Lake area in Charlestown, Indiana. We had anticipated that we were going to enter into a Subrecipient Agreement with the city of Charlestown and then they would partner with Watson Water. Through legal counseling, it was decided that entering into an agreement as the County directly with Watson Water was the best option. Motion by Commissioner Coffman to approve the ARPA Subrecipient Agreement with Watson Water Company. Seconded by Commissioner Sellers. Motion approved 3-0.
- D.** County Attorney R. Scott Lewis presented the ARPA Subrecipient Agreement with the Town of Borden. The County originally entered into a Subrecipient Agreement with the Town of Borden specifically for their project to be used for the expansion of sanitary sewer service to the Starlight geographical area. They have requested certain upgrades to the plan itself. They have requested up to \$125,000.00 of the original pledge for improvements at the Town's Wastewater Treatment Plant. The amendment is to allow them to use up to \$125,000.00 for improvements and the remaining part of the pledged funds will be used for the expansion. Motion by Commissioners Coffman to approve the

Amendment to ARPA Subrecipient Agreement with the Town of Borden.
Seconded by Commissioner Sellers. Motion approved 3-0.

E. County Attorney R. Scott Lewis presented the Huber's Orchard Wine Run 5k Road Barrier Request. The course will start and finish at the Huber's Winery. This is a run that happens annually. The race starts at 9:00 AM on Saturday June 22nd, 2024. Motion by Commissioner Sellers to approve the Huber's Orchard Wine Run 5k Road Barrier Request. Seconded by Commissioner Coffman. Motion approved 3-0.

F. County Attorney R. Scott Lewis presented the Engagement Letter of Advisory Services for the Wheatley Group. This is for the READI 2.0 Project. The services provided are on-call as needed regarding submission documents and other tasks. It is a not-to-exceed amount of \$4,000.00 with a term date of 3/25/2024 – 12/31/2024. Motion by Commissioner Sellers to approve the Engagement Letter of Advisory Services for the Wheatley Group. Seconded by Commissioner Coffman. Motion approved 3-0.

III. Old Business: None

IV. Reports:

A. Auditor: None.

B. Attorney: None.

C. Highway Department: Clark County was awarded approximately \$1,200,000.00 from the Community Crossing Grant. This is the application that was put in for the resurfacing and paving of Salem Noble and High Jackson roads. This also includes the Willinger Bridge project. Southern Indiana RDA had a presentation on April 10th, 2024 for various projects throughout Clark County. Clark County applied for one of the projects and other municipalities had applied for projects as well. Southern Indiana RDA was awarded \$45,000,000.00 to fund those projects. They will now decide which projects they will be moving forward with.

Commissioner Coffman added, “READI 1.0 was all Federal money but READI 2.0 is State money. The reporting and documentation will be less stringent because of this. This money comes from the IEDC.”

County Engineer Brian Dixon finished by saying, “The RDA is considering all the projects from Clark County, Scott County, Washington County, Floyd County and Jefferson County. They are going to take a look at all of the requests which totaled over \$300,000,000.00. Their task is to figure out which projects they want to fund. I believe a decision is scheduled for later on in the summer. The County will have to turn in an RFP proposal and explain how the County would use the portion of those funds.”

D. Sheriff: The current jail population is 407.

E. Elected Officials & Department Heads: None.

V. Other Business: None.

VI. Public Comments: None.

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

BOARD OF COMMISSIONERS OF
CLARK COUNTY, INDIANA

Absent

BRYAN GLOVER, PRESIDENT

Connie Sellers

CONNIE SELLERS, VICE PRESIDENT

Jack Coffman
JACK COFFMAN, MEMBER

SIGNED THIS DAY April 25, 2024

ATTEST: Danny Yost

DANNY YOST, CLARK COUNTY AUDITOR