

CLARK COUNTY COUNCIL
CLARK COUNTY, INDIANA
Regular Meeting of August 8, 2011

The regular scheduled meeting of the Clark County Council was called to order at 6:00 p.m. by Council President Kevin Vissing.

Those in attendance stood for the pledge of allegiance to the American Flag.

Roll call showed members present and absent as follows:

Present	Absent
Barbara Hollis (1 st District)	
Brian Lenfert (2 nd District)	
Danny Yost (3 rd District)	
Steve Doherty (4 th District)	
Chuck Moore (At Large)	
Kevin Vissing (At Large)	
Perry Smith (At Large)	

Also present were Council Attorney Scott Lewis, County Auditor Monty Snelling, Chief Deputy Auditor Alana Sparkman and Benefits Coordinator Mischell Settles.

President Vissing requested proof of Notice of Taxpayers of the additional appropriations listed on the agenda. Scott Lewis, Attorney for the Council, stated for the record that publication of Notice of Taxpayers ran in the Evening News ten (10) days prior to this meeting as required by I.C.6-1.11-18-5 and advised the council to proceed.

Councilperson Yost made a motion to approve the July 13, 2011 minutes as presented with a second from Councilman Moore. Carried 7-0.

Councilperson Smith made a motion to approve the Special Meeting of July 27, 2011 minutes as presented with a second from Councilperson Hollis. Carried 7-0.

Amendments to the Agenda: Councilman Lenfert wanted to address the current expenses for the departments versus the adopted budget. Auditor Snelling advised that the Commissioners asked to table the additional appropriation in the Landfill Expansion and the transfer from Fund #277 Landfill Improvements to Fund #341 Landfill Expansion Project N/R. Also, Auditor Snelling advised that Judge Daniel Moore wanted to table the discussion regarding the CIT Provider Agreement to the September meeting. Councilperson Hollis made a motion to approve the agenda as amended with a second from Councilman Smith. Carried 7-0.

Councilperson Hollis made a motion to acknowledge the receipt of the funds report provided by the Auditor's office. Councilperson Smith seconded the motion. Carried 7-0.

Public Comments:

The following is a list of those who spoke regarding the Clark-Floyd Landfill.

1. Shirley Shrewsbury of 1408 Emerald Drive, Sellersburg
2. Sandra Scott of 201 Meadow Drive, Sellersburg
3. Lisa Morris of 12002 Eagle Kroll Drive, Sellersburg
4. Kelly Khuri of 4819 Salem Noble Road, Jeffersonville
5. James Pendleton of 1608 Waverly Road, Jeffersonville
6. Teresa Ballew of 472 Kensington Drive, Clarksville
7. Ron Smith of 3310 Holman Lane, Jeffersonville

At this time, Greg Fifer, Clark County Commissioner Attorney, answered some of the public comments questions and referenced the Supplemental documentation that he provided regarding the proposed \$15,100,000 bond issue to fund landfill capacity expansion improvements. This included the debt-service coverage issues, closure cost issues and a memo of agreements including the original franchise and license agreement that was effective in 2004, the first amendment that was effective in 2007 and the second amendment that was effective in July, 2011 with the anticipation of the bond sale. He also addressed some of the benefits of having the Clark-Floyd Landfill. Gary Malone, certified public accountant and partner with Umbaugh and Associates, an Indianapolis-based accounting company addressed one of the concerns that it was very unlikely that the property tax backup would ever be needed. He went over the projected cash flow schedule which showed if \$15.1 million was issued; the average bond payment per year would be \$1.25 million, which included \$100,000 being set aside for closure costs of the landfill. He also mentioned that the Clark-Floyd landfill's current annual revenues are \$4.4 million, enough to cover the annual bond payment. After much discussion with the council and questions regarding the split of control over the landfill with Floyd County and wanting to share the responsibility with Floyd County. Councilman Lenfert mentioned that Floyd County would be on the hook with Clark County for the closure expenses of the landfill. Attorney Fifer had mentioned that the closure costs would be in excess of \$20 million. If they do not continue to expand, in April, 2012 the county would be forced to begin procedures to close. Councilman Moore made a motion to approve Ordinance 26-2011 with a second from Councilman Yost. Failed 3-4.

A roll call vote went as follows:

YES

NO

Perry Smith
Barbara Hollis
Kevin Vissing

Danny Yost
Steve Doherty
Chuck Moore
Brian Lenfert

A motion was made by Councilperson Hollis to reaffirm Ordinance 27-2010 of 9.1 million dollars. Councilman Lenfert seconded the motion. Carried 6-0-1 (Councilman Moore abstained)

A roll call vote went as follows:

YES

NO

Brian Lenfert
Barbara Hollis
Perry Smith
Steve Doherty
Danny Yost
Kevin Vissing

Amendments to the Agenda: Councilman Lenfert addressed the concerns that various offices and departments are not adequately monitoring their expenses to comply with the 2011 budget appropriation adjustments previously made by the Council that were required by the Department of Local Government Finance in March. He also mentioned that the Council would be as helpful with their assistance and work with the department heads as well as the Auditor's office, particularly payroll, in figuring the best net savings for their office. Councilman Lenfert made a motion for all of the departments to submit in writing *a detailed plan* to the Auditor's office by Friday, August 12, 2011, describing how they intend on making adjustments and cuts to their departments that will get their expenses in line with the adopted budget that the council passed down from the state budget order. Councilperson Hollis seconded the motion. The Council will send out the letter as addressed. Carried 7-0.

Public Comments:

The following is the continuation of those who spoke:

8. Charlotte Nicholson of 11511 Hwy 60, Sellersburg
9. Larry Graebe of 19412 Charlestown Bethlehem Rd., New Washington
10. Doug Fields of 12920 Columbus Mahn Road, Memphis
11. David Paris of 1906 Beechlawn Drive, Clarksville

Next on the agenda, the Commissioners asked to table the additional appropriation in the Landfill Expansion and the transfer from Fund #277 Landfill Improvements to Fund #341 Landfill Expansion Project N/R.

Next, Sheriff Daniel Rodden with the Clark County Sheriff's Dept. had two salary ordinances showing promotions in rank but Councilperson Hollis said those did need to go before the Council. The Sheriff also mentioned that he needed \$1,549,516.10 to make payroll for the rest of the year. He said they have \$496,620.05 left on the police side of the payroll budget. The jail side of the payroll budget has \$226,768.00 left. He mentioned the appropriations in LOIT are for operating expenses. The figures he gave included the FICA, Medicare, PERF, and health insurance. Councilman Lenfert mentioned due to the obvious shortfalls in the county budget and limited capacity as a whole, the council is asking for all of the employees to pick up the 3% pension contribution and the county to pick up the remaining that is due. He requested for the Sheriff's support and sign off for his employees to do the same as all of the other county employees and have a shared sacrifice as a whole.

Next, Judge Daniel Moore had previously asked to table his discussion regarding the CIT Provider Agreement to the September meeting.

Next, the Council reviewed the additional appropriation reductions from Cum Cap that were put in January for the Jail. Due to those being for 2010, Personal Services need reduced by \$6,696.25, Gas & Oil reduced by \$2,163.93, Food reduced by \$9.92, Supplies reduced by \$115.74, Vehicle Maintenance reduced by \$6,795.25, Printing reduced by \$230.40, Utilities reduced by \$1,117.87, Contract Services reduced by \$155.45, Radio Repair and Service reduced by \$1,503.90. Also another reduction in appropriation was for Cedit. Lease Payment appropriation reduced by \$1,760,000.00. Councilman Lenfert made a motion to approve the reductions of additional appropriations from Cum Cap and Cedit with a second from Councilman Moore. Carried 7-0.

Next, Henry Dorman, with Weights & Measures requested additional appropriations from Riverboat or Rainy Day for Gas & Oil for \$5,935.32 and Personal Services for \$1,565.00. Councilman Smith made a motion to approve the additional appropriations from Rainy Day and deny from Riverboat. Councilman Doherty seconded the motion. Carried 7-0.

Next, Judge Vicki Carmichael was not in attendance. She had requested additional appropriations for Superior Ct. 1 Juv. Admin Fee in Personal Services for \$5,500 and additional appropriations for Superior Ct. 1 Prob. User Fee in Personal

Services for \$9,300.00 and a revision of a salary ordinance for probation officer, Rupert Strawbridge of \$7,708.00 which was before the July Council meeting with the incorrect amount. Councilman Moore made a motion to approve both of the additional appropriations and revised salary ordinance with a second from Councilman Smith. Carried 7-0.

Next, Judge Jacobi from Superior Ct. #2 was not in attendance but Auditor Snelling addressed that there was a request for additional appropriation in Superior Ct. 2 Probation User Fee in equipment for \$35,000.00. Councilman Lenfert made a motion to approve the request for additional appropriation with a second from Councilman Smith. Carried 7-0.

Next, Dennis Stemler spoke on behalf of Superior Ct. #3 requesting an additional appropriation from their Alcohol and Drug User Fee for a local match to the prosecutor of \$70,000.00. Councilman Moore made a motion to approve the additional appropriation with a second from Councilman Smith. Carried 7-0.

Next, Clark County Juvenile Detention had a request of an additional appropriation for personal services in the County General for \$90,000. Councilperson Hollis made a motion to deny the request of additional appropriation with a second from Councilman Moore. Carried 7-0.

Next, Robert Allen with Purdue Extension had a request of additional appropriations for the Purdue Extension N/R fund in personal services of \$14,785.12, utilities of \$2,000.00, telephone of \$750.00, contract services of \$420.00 and a salary ordinance for Sharon Beal for \$10,484.32. Councilman Moore made a motion to approve all of the additional appropriations with a second from Councilman Smith. Carried 7-0.

Next, Clark County Coroner, Edwin Coots, requested additional appropriation for autopsies from County General, Riverboat, or Rainy Day for \$30,000.00. Councilman Moore made a motion to approve the additional appropriation of \$30,000 from Riverboat and deny from County General and Rainy Day. Councilperson Hollis seconded the motion. Carried 6-0-1 (Councilman Smith abstained)

Next, Clark County Recorder, Dick Jones requested an additional appropriation in Identification Security Protection Fund for Services & Charges of \$7,056.00. Councilman Moore made a motion to approve the additional appropriation with a second from Councilperson Hollis. Carried 7-0.

Next were tabled items from previous meetings, Councilman Lenfert addressed Resolution No. 4-2011 from Cedit. Councilman Lenfert made a motion to table personal services of \$58,000.00, approve \$50,000.00 in contract services and table the remaining of \$191,880.00 in Reassessment, to approve \$75,000.00 for the Building Authority and table the remaining of \$272,195.00 and approve the personal services for the Commissioners of the remaining \$939,925.00. Councilman Moore seconded the motion. Carried 7-0.

Next, Clark County Attorney Greg Fifer was not in attendance representing the Board of Commissioners for an additional appropriation out of County General, Riverboat, and Rainy Day of \$3,505,985.00. Councilman Lenfert made a motion to table the request with a second from Councilman Smith. Carried 6-0 (Councilman Moore was not present at the time)

Next, Bruce Adams representing Soil & Water Conservation District requested an additional appropriation out of Cedit, Riverboat, Rainy Day, and County General for \$16,860.00 for personal services. Councilman Doherty made a motion to approve \$10,000.00 out of Rainy Day and deny the remaining from all of the other funds. Councilman Moore seconded the motion. Carried 7-0.

Next, Councilman Smith made a motion to table the Treasurer, David Reinhardt's request for additional appropriations for printing for \$9,500.00 from County General, Riverboat, and Rainy Day with a second from Councilman Yost. Carried 7-0.

Next, Councilman Lenfert made a motion to deny the request from Cooperative Extension Service of additional appropriations out of Cedit for travel for \$3,585.00, telephone for \$6,000.00, utilities for \$5,637.00, and equipment repair for \$3,033.00. Councilman Moore seconded the motion. Carried 7-0.

Lastly, Lyda Abell with Juvenile Detention had requested an additional appropriation from Riverboat and LOIT-County General for personal services for \$90,000.00. Councilman Lenfert made a motion to table the request with a second from Councilman Moore. Carried 7-0.

No old business discussed.

No new business discussed.

Attorney Comments: Council Attorney, Scott Lewis, addressed the mediation agreement. The Courts had provided their new 2011 budget adjustments pursuant to the mediation and agreed judgments including salary ordinances. Councilman Lenfert made a motion to approve with a second from Councilman Moore. Carried 7-0.

Auditor comments: Auditor Snelling mentioned that the Budget Workshop with the DLGF would be on Tuesday, August 9th in the Council meeting room.

Council Comments: Councilman Vissing mentioned he would work on a date to meet with Floyd County regarding the landfill issue. After there is a date, we would advertise if needed for a Special meeting.

Councilman Moore made a motion to adjourn the meeting with a second from Councilman Smith. Carried 7-0.

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING
ADDITIONAL APPROPRIATIONS
FOR THOSE FUNDS REQUIRING APPROVAL OF THE
DEPARTMENT OF LOCAL GOVERNMENT FINANCE
ORDINANCE N0.28 -2011**

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget so that it is necessary to appropriate more money than was appropriated in the annual budget.

Section I. BE IT ORDAINED by the Clark County Council of Clark County, Indiana for expenses of Clark County government and it's institutions for the year ending December 31, 2011 the following sums of money are herein specified subject to the law governing the same, such sum herein appropriated shall be held to include all expenditures provided by law.

Section II. THAT for the fiscal year there is hereby appropriated out of the various funds herein for the following specified amounts to meet such extraordinary emergencies which are declared to exist.

	Requested	Allowed	Vote
<u>County General</u>			
Clark County Juvenile Detention			
100-11107-041 Personal Services	90,000.00	Denied	7-0
Coroner			
100-30059-007 Autopsies	30,000.00	Denied	6-0-1
Commissioner	3,505,985.00	Tabled	6-0
Clark County Soil & Water Conservation			
100-11107-048 Personal Service	16,860.00	Denied	7-0
Treasurer			
100-30041-003 Printing	9,500.00	Tabled	7-0

Cum Cap

427-11107-032 Personal Services	-6,696.25	-6,696.25	7-0
427-20021-032 Gas & Oil	-2,163.93	-2,163.93	7-0
427-20043-032 Food	-9.92	-9.92	7-0
427-20060-032 Supplies	-115.74	-115.74	7-0
427-30024-032 Vehicle Maintenance	-6,795.25	-6,795.25	7-0
427-30041-032 Printing	-230.40	-230.40	7-0
427-30046-032 Utilities	-1,117.87	-1,117.87	7-0
427-30051-032 Contract Services	-155.45	-155.45	7-0
427-30072-032 Radio Repair and Service	-1,503.90	-1,503.90	7-0

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING
ADDITIONAL APPROPRIATIONS
FOR THOSE FUNDS WHICH DO NOT REQUIRE APPROVAL OF THE
DEPARTMENT OF LOCAL GOVERNMENT FINANCE
ORDINANCE NO.29 -2011**

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget so that it is necessary to appropriate more money than was appropriated in the annual budget.

Section I. BE IT ORDAINED by the Clark County Council of Clark County, Indiana that for expenses of Clark County government and it's institutions for the year ending December 31, 2011 the following sums of money are herein specified subject to the law governing the same, such sum herein appropriated shall be held to include all expenditures provided by law.

Section II. THAT for the fiscal year there is hereby appropriated out of the various funds herein for the following specified amounts to meet such extraordinary emergencies which are declared to exist.

	Requested	Allowed	Vote
<u>Cedit</u>			
412-31003-202 Lease Payment	-1,760,000.00	-1,760,000.00	7-0
Reassessment			
412-11107-009 Personal Services	58,000.00	Tabled	7-0
412-30051-009 Contract Services	241,880.00	50,000.00/ Table 191,880.00	7-0
Building Authority			
412-30051-138 Contract Services	347,195.00	75,000.00 Table 272,195.00	7-0

Commissioners

412-11107-030 Personal Services	939,925.00	939,925.00	7-0
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Clark County Soil & Water Conservation

412-11107-048 Personal Service	16,860.00	Denied	7-0
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Cooperative Extension Service

412-30013-023 Travel	3,585.00	Denied	7-0
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412-30014-023 Telephone	6,000.00	Denied	7-0
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412-30046-023 Utilities	5,637.00	Denied	7-0
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412-30054-023 Equipment Repair	3,033.00	Denied	7-0
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Riverboat**Coroner**

321-30059-007 Autopsies	30,000.00	30,000.00	6-0-1
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Weights & Measures

321-20021-028 Gas & Oil	5,935.32	Denied	7-0
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321-11107-028 Personal Services	1,565.00	Denied	7-0
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Commissioner	3,505,985.00	Tabled	6-0
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Clark County Soil & Water Conservation

321-11107-048 Personal Service	16,860.00	Denied	7-0
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Treasurer

321-30041-003 Printing	9,500.00	Tabled	7-0
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Juvenile Detention

321-11107-041 Personal Services	90,000.00	Tabled	7-0
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Rainy Day**Coroner**

269-30059-007 Autopsies	30,000.00	Denied	6-0-1
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Weights & Measures

269-20021-028 Gas & Oil	5,935.32	5,935.32	7-0
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269-11107-028 Personal Services	1,565.00	1,565.00	7-0
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Commissioner	3,505,985.00	Tabled	6-0
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Treasurer

269-30041-003 Printing	9,500.00	Tabled	7-0
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Clark County Soil & Water Conservation

269-11107-048 Personal Service	16,860.00	10,000.00	7-0
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Superior Ct. 1 Juv. Admin Fee

223-11107-266 Personal Services	5,500.00	5,500.00	7-0
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Superior Ct.1Prob. User Fee

362-11107-081 Personal Services	9,300.00	9,300.00	7-0
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Superior Ct. 2 Prob User Fee

363-40014-089 Equipment	35,000.00	35,000.00	7-0
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Superior Ct. 3 Alcohol and Drug User Fee

286-31018-084 Local Match 70,000.00 70,000.00 7-0

Purdue Extension N/R Fund

4901-11107-023 Personal Services 14,785.12 14,785.12 7-0

4901-30046-023 Utilities 2,000.00 2,000.00 7-0

4901-30014-023 Telephone 750.00 750.00 7-0

4901-30051-023 Contract Services 420.00 420.00 7-0

Identification Security Protection

356-11107-313 Personal Services 7,056.00 7,056.00 7-0

LOIT-County General

Juvenile Detention

418-11107-041 Personal Services 90,000.00 Tabled 7-0

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING
SALARY AND WAGES TO BE PAID TO OFFICERS AND EMPLOYEES
FOR CALENDER YEAR 2011
AMENDMENT NO. 8**

	Requested	Allowed	Vote
Clark County Sheriff's Office			
Levi James Promoted to Corporal Effective 07/04/11	31,594.24	31,594.24	N/A
Charles Scott Promoted to Sargeant Effective 07/04/11	33,084.24	33,084.24	N/A
Superior Ct #1 Probation User Fund			
Probation Officer-Rupert Strawbridge	7,708.00	7,708.00	7-0
Purdue Extension N/R Fund			
Office Manager-Sharon Beal Effective 08/29/11	10,484.32	10,484.32	7-0

Mediation Agreement/Judgment of New Salary Ordinances

County General

Superior Ct. 1

Court Reporter/Bailiff-Dianna Benson 28,000.00 28,000.00 7-0
Effective 01/01/11

Superior Ct. 1 Probation

Placement Coordinator-Pam Fleece 28,000.00 28,000.00 7-0
Effective 01/01/11

Superior Ct. 2

Bailiff-Jeremy Snelling 28,300.00 28,300.00 7-0

Circuit Ct.

Adrienne Fuller 29,788.00 29,788.00 7-0

Effective 01/01/11

Sherry Peacock 29,000.00 29,000.00 7-0

Effective 01/01/11

Denise Poukish 41,548.00 41,548.00 7-0

Effective 07/01/11

Circuit Ct. PUF

Denise Poukish 15,000.00 15,000.00 7-0

Effective 07/01/11

Members of the Clark County Council

AYES

NAYS

CR Ma

Berry D. Smith

Fay G

Bill H

St. Doherty

Kevin Vining

Barbara Hallis

Attest: *R. Monty Snelling*

R. Monty Snelling - Clark County Auditor

Approved this 12 day of September, 2011