

REGULAR MEETING
CLARK COUNTY BOARD OF COMMISSIONERS

April 25, 2013

The Board of County Commissioners of Clark County, Indiana met in Regular Session on April 25, 2013 at 5:00 p.m. in Room 404, Clark County Government Building, Jeffersonville, Indiana.

Present at the meeting were Commissioners – Jack Coffman and John Perkins, County Auditor R. Monty Snelling, County Attorney Jake Elder, Commissioners’ Secretary Allison Richey and Payroll Clerk Mischell Settles. Commissioner Rick Stephenson was absent.

Pledge of Allegiance led by Adam Dickey and prayer was led by Jack Coffman.

Approval of the Minutes

Commissioner Perkins made a motion to approve the April 11, 2013 Regular Meeting Minutes. Commissioner Coffman seconded. Motion approved 2-0. Commissioner Stephenson was absent.

Amendment to the Agenda

Commissioner Perkins made motion to add A) Emergency Declaration for Insurance item B, TEFRA Meeting item C, William Fehribach item H, and Appointments to Community Corrections Board item J to the agenda. Commissioner Coffman seconded. Motion approved 2-0. Commissioner Stephenson was absent.

Approval of Claims/Payroll

County Auditor R. Monty Snelling presented claims and payroll for May 1, 2013 for approval as submitted by the officeholders and department managers stating all figures had been signed, verified and funds are available. Commissioner Perkins made motion to approve. Commissioner Coffman seconded. Motion approved 2-0. Commissioner Stephenson was absent.

Public Comments Relating to the Agenda - None

I. Administrative Agenda

A. Cecelia Peredo Bid Recommendation for MONWC Project

Commissioner Perkins made motion to table to the next meeting. Commissioner Coffman seconded. Motion approved 2-0.

B. Commissioner Perkins made motion to declare an emergency for the third quarter Workers' Compensation/General Liability Insurance payment because the appropriation was cut by the County Council. Commissioner Coffman seconded. Motion approved 2-0.

Commissioner Perkins made motion to allow Commissioner Coffman to sign the claim and give the claim to Auditor to be paid on April 26, 2013. Commissioner Coffman seconded. Motion approved 2-0.

C. Commissioner Perkins made motion to open a Tax Equity and Fiscal Responsibility Act (TEFRA) hearing at 5:15 p.m. on April 25, 2013. Attorney Elder stated the hearing is regarding the issuance of the General Obligation Bonds of 2013 by the County, in aggregate principal amount not to exceed \$9,000,000.00 ("Bonds"), to be issued for the purpose of providing funds for Phase II of the expansion of and improvement of the Clark-Floyd Landfill. Attorney Elder stated the hearing for the appropriation will held by the County Council. Commissioner Perkins made motion to close the TEFRA hearing. Commissioner Coffman seconded. Motion approved 2-0.

D. Landfill Bond Letters of Engagement were received from Ice Miller that would provide general council and Umbaugh a CPA firm. Commissioner Perkins made motion to accept letters of engagement for the landfill bond. Commissioner Coffman seconded. Motion approved 2-0.

E. Commissioner Perkins made motion to approve a contract for Government Consulting Services/Dan Eggerman in the amount of \$30,000 plus mileage. Commissioner Coffman seconded. Motion approved 2-0.

F. Commissioner Perkins made motion to table 2013 CEDIT Fund Plan. Commissioner Coffman seconded. Motion approved 2-0. Councilperson Khuri asked "What is the CEDIT Fund Plan?" Commissioner Coffman stated it is a Commissioner Fund that would put money in the General Fund. He also stated he

wanted to table to the next meeting because he would prefer all three Commissioners be present.

G. Ed King, Southeast Equipment appeared before the Board to present a leasing contract for a gradall machine in the amount of \$291,025.00. Commissioner Coffman stated the Commissioners did take bids and Southeast Equipment was slightly higher but because of their customer service and because the other company that bid has only been making this equipment for approximately seven years the County decided to go with Southeast Equipment. Councilperson Khuri asked who the other company was that bid and if the County got a trade in on the old equipment. Commissioner Coffman stated the other company was RPM Machinery and their bid was \$1,000.00 less. He also stated the County received \$5,000.00 trade on the old equipment. Commissioner Perkins made motion to approve the contract. Commissioner Coffman seconded. Motion approved 2-0.

H. William Fehribach, 104 N. Ferguson, Henryville appeared before the Board to ask about his property at 324 Dieterlen Rd., Henryville. Mr. Fehribach stated there are two other residents that are running businesses on properties that are zoned agricultural and he would like to be granted a variance to run his business on his property on Dieterlen Rd. Commissioner Perkins stated the Commissioners don't issue variances or rule Board of Zoning Appeals (BOZA). Commissioner Coffman asked if Mr. Fehribach has a homestead on Dieterlen Rd. Mr. Fehribach stated his homestead is not on Dieterlen Rd. His homestead is on his resident on N. Ferguson. Commissioner Perkins stated pass ordinances they don't enforce them. Commissioner Perkins BOZA and Planning Commission enforce the ordinances. Commission Coffman stated if the Commissioners gave him the permission to run his business on Dieterlen Rd. they would be in violation of state law.

I. Diane Swank, Insuramax appeared before the Board regarding the health insurance renewal. Ms. Swank recommended the County stay with Humana on administrative services. She stated she is still shopping the stop/loss insurance. Ms. Swank stated the new health care reform law will require a fee of \$5.25 for each member on the health insurance. She asked the Commissioners if they would like Humana to bill the fee. She also talked about some optional benefits such as the Humana Vitality Program and the Humana Compass Program. She stated the Compass Program is an incentive program for employees to shop around for services. She stated there is a \$2.00 per month per employee charge. Attorney Elder asked Ms. Swank if the deductible is on calendar year or on insurance renewal calendar. Ms. Swank stated deductibles are on a calendar year.

Commissioner Perkins made motion to stay with Humana on administrative services and continue shopping for stop/loss insurance. Commissioner Coffman seconded. Motion approved 2-0. Ms. Swank stated at the next meeting she will have recommendations on stop/loss insurance and health insurance contributions for employees and the County. Commissioner Perkins asked for more information on the Compass Program.

J. Commissioner Perkins made motion to reappoint all Community Corrections Board Members that were submitted (see list attached). Commissioner Coffman seconded. Motion approved 2-0.

K. Matters tabled from prior meeting - None

L. Sheriff's Business - None

M. Auditor Report/Comments Auditor Snelling stated budget forms have gone out. He asked if the Public Finance paperwork was complete and if there is something for him to sign. Auditor Snelling highly recommended Dan Eggerman with Government Contract Services and stated he was happy the Commissioners renewed his contract. Auditor Snelling submitted the Monthly Clerk of Courts Report. Commissioner Perkins made motion to enter into record. Commissioner Coffman seconded. Motion approved 2-0.

N. Attorney Report/Comments Attorney Elder stated that Hyun Lee has been with the County for 38 years and today is his last day. Attorney Elder presented the Dissolution Agreement for approval. Commissioner Perkins made motion to approve. Commissioner Coffman seconded. Motion approved 2-0. The agreement was signed by Commissioner Coffman, President, Hyun Lee and Auditor Snelling.

Attorney Elder stated the agreement for the mail machine equipment is in the amount of \$18,904.00 with a 4.26% interest rate. Commissioner Perkins made motion to allow Commissioner Coffman to sign documents from the third party finance company outside the meeting. Commissioner Coffman seconded. Motion approved 2-0.

Attorney Elder presented the Master Equipment Lease/Purchase Agreement for the gradall equipment. Commissioner Perkins made motion to sign the documents. Commissioner Coffman seconded. Motion approved 2-0.

Commissioner Perkins made motion to pass Resolution No. 4-2013 A Resolution Authorizing The Execution And Delivery Of A Master Equipment Lease/Purchase Agreement, And Related Instruments, And Determining Other Matters In Connection Therewith. Commissioner Coffman seconded. Motion approved 2-0.

Auditor Snelling stated at the last Redevelopment Meeting there was discussion about the new bridge. He asked the Commissioners to submit a letter to the State urging them to treat the Indiana side the same as Kentucky overpasses and approaches. Commissioner Perkins made motion to allow Attorney Elder to draft a letter to the State requesting the Indiana side points of interest regarding the bridge be treated the same as the Kentucky side. Commissioner Coffman seconded. Motion approved 2-0.

O. Officeholder/Department Heads Present At Meeting - County Councilperson Kelly Khuri and Treasurer David Reinhardt. Treasurer Reinhardt stated tax bills were mailed April 10th and spring installment is due May 10th.

P. Ratifications and Approvals - None

II. Technical Agenda

A. Matters Tabled From Prior Meeting - None

III. Public Comment

William Fehribach asked the Commissioners if they would draft a letter stating they denied his request on his Dieterlen Rd. Commissioner Perkins again reminded Mr. Fehribach they don't have the authority to deny his request. Mr. Fehribach asked if they could draft a letter stating they don't have the authority to deny his request. Commissioner Coffman asked Attorney Elder to draft a letter stating they Commissioners don't have the authority to approve or deny Mr. Fehribach request.

Councilperson Khuri asked the Commissioners' Secretary Allison Richey if the changes have been made to the website on redevelopment. She stated that have not yet been updated.

Commissioner Perkins recognized Hyun Lee. Commissioner Perkins stated Mr. Lee has an impeccable memory and he hopes the County can call still him with questions. Commissioner Perkins stated Mr. Lee has done a good job for the County.

Commissioner Perkins made motion to adjourn. Commissioner Coffman seconded. Motion approved 2-0.

To the extent the Board held an executive session of any type under (IC-5-14-1.5-6) or otherwise, the Board thereby certified that no subject matter was discussed therein except that posted in the notice for sessions or meeting (IC-5-14-1.5-6).

BOARD OF COMMISSIONERS OF
CLARK COUNTY, INDIANA

JACK COFFMAN, PRESIDENT

RICK STEPHENSON,
VICE-PRESIDENT

JOHN PERKINS, MEMBER

SIGNED THIS DAY _____

ATTEST: _____

R. MONTY SNELLING,
CLARK COUNTY AUDITOR