

**REGULAR MEETING**  
**CLARK COUNTY BOARD OF COMMISSIONERS**

May 28, 2020

The Board of County Commissioners of Clark County, Indiana met in Regular Session on May 28, 2020, at 5 p.m. in Room 418, Clark County Government Building, Jeffersonville, Indiana.

Present at the meeting were Commissioners – Jack Coffman, Bryan Glover, and Connie Sellers, County Attorney Scott Lewis, Commissioners’ Assistant Allison Ruddell, Clark County Engineer Brian Dixon, and Auditor Danny Yost.

Pledge of Allegiance was led by Karen Goodwell and the prayer was led by Jack Coffman.

**Approval of the Minutes**

**Commissioner Sellers** made a motion to approve the May 14, 2020, Regular Meeting Minutes. Commissioner Glover seconded. Motion approved 3-0.

**Attorney Scott Lewis** requested that the street closing of Poplar Street in New Washington, be added to the agenda, after the Cemetery Interlocal Agreement. Commissioner Glover motioned to approve the agenda as amended. Commissioner Sellers seconded. Motion approved 3-0.

**Auditor Danny Yost** presented the claims and payroll for June 3, 2020. Commissioner Sellers motioned to approve the claims and payroll. Commissioner Glover seconded. Motion approved 3-0.

**I. Administrative Agenda**

**A. Judge Vicki Carmichael** presented a quote from Infax for a Digital Signage System that will be used for Court Dockets. The system will be similar to Floyd County’s. The total cost for the Digital Signage System is \$37,087. Judge Carmichael presented the quote to the Council and they suggested that she present it to the Commissioners to be paid for from the IT Fund or Cum Cap. The quote

states that there is a basic 1-year support agreement, paid annually. The cost of the annual support agreement is unknown. Commissioner Glover motioned to table the Digital Signage System, so that they can further examine their fund balances. Commissioner Sellers seconded. Motion to table approved 3-0.

**B. Commissioner Coffman** opened a public hearing concerning Ordinance 6-2020, an ordinance amending the Clark County Zoning map on an unfavorable recommendation from the Plan Commission, for Rezoning Petition 2020-01-PC. Attorneys John Kraft and Dan Moore were notified of the public hearing, but only John Kraft was in attendance.

John Kraft, with Young, Lind, Endres, & Kraft, discussed Rezoning Petition 2020-01-PC. Mr. Kraft appeared at the Plan Commission meeting to represent the immediate neighbors of the property, who oppose the petition. Clark Nickels, Inc. was petitioning to rezone their property from R-2 to B-3. The property is immediately adjacent to Charlestown Landing and was subject to a variance before the Board of Zoning Appeals with certain conditions that were imposed. One of the conditions, was to remove the trailers and equipment from the property. Clark Nickels Inc. failed to meet the conditions of the variance and he was sent a notice of violation. Mr. Kraft requested that the Commissioners follow the unanimous unfavorable recommendation of the Plan Commission and deny the rezoning request from R-2 to B-3.

Mr. Kraft stated for the record that the rezoning requests comes before the Commissioners with an unfavorable request from the Plan Commission. Under Indiana Law, by virtue of the passage of time, and no action taken by the legislative body, the request would have automatically been denied prior to this meeting. Attorney Scott Lewis stated that because Commissioner meetings were cancelled due to COVID-19, a public hearing would be held and there would not be an automatic denial. This was previously discussed with Dan Moore.

Commissioner Coffman closed the public hearing and presented Ordinance 6-2020.

Commissioner Glover motioned to deny Ordinance 6-2020, an ordinance approving an amendment to the Clark County Zoning Map, on an unfavorable

recommendation by the Plan Commission. Commissioner Sellers seconded. Motion to deny approved 3-0.

There was a notice of violation to Mr. Nichols. He was advised that if he filed the petition, no action would be taken on the notice of violation until the determination was made on the zoning. Since the zoning has been denied, the Planning and Zoning Office will issue a letter to Mr. Nichols in regards to the BZA violation.

**C. Attorney Scott Lewis**, presented Resolution 5-2020, a resolution pertaining to Utica Township Fire Protection District Cumulative Firefighting Building & Equipment Fund. Under law, when a fire protection district tries to establish a Cumulative Firefighting Building & Equipment Fund, the Commissioners have to pass a resolution confirming the action of the district. The Auditor's Office has not received any remonstrances. This must be acted on by the end of May. Commissioner Glover motioned to approve Resolution 5-2020. Commissioner Sellers seconded. Motion approved 3-0.

**D. Karen Goodwell**, with Human Resources, presented the 2-year BluMine Contract Renewal that will be effective August 1, 2020. The first year of the contract includes very minor changes. For the second year, the proposal is that in addition to the \$65 per employee that's on census, the county would pay an additional 5% of the non-prescription savings achieved. Commissioner Sellers motioned to approve the 2-year BluMine Contract Renewal, beginning August 1, 2020, and to allow Jack Coffman to sign. Commissioner Glover seconded. Motion approved 3-0.

**E. Karen Goodwell**, with Human Resources, presented the BMS FSA Renewal. There are not changes to this renewal. Commissioner Sellers motioned to approve the BMS FSA Renewal, beginning August 1, 2020 until July 31, 2021. Commissioner Glover seconded. Motion approved 3-0.

**F. County Engineer Brian Dixon** discussed the road closures for the 5K for Kids that will take place on Saturday June 27, 2020. Mr. Dixon had been in contact with Michael Clemons, with Louisville Running Company, and let him know that the county can provide barricades. The barricades would be brought to the shoulder

of the road on the Friday before the run. Mr. Clemons has someone who can install them and move them back to the shoulder of the road after the race. Mr. Dixon raised social distancing concerns with Mr. Clemons. There is a plan in place to follow social distancing guidelines, that includes staggered starts. Commissioner Sellers motioned to approve road closures for the 5K for Kids on June 27, 2020. Commissioner Glover seconded. Motion approved 3-0.

**G. Attorney Scott Lewis** presented Ordinance 7-2020, an ordinance amending Article 5, Section 5.2 of Ordinance No. 7-1983 (The Clark County Traffic Control Ordinance in order to alter certain speed limits. The proposed ordinance would increase the speed limit on Perry Crossing Road from Highway 31 to the entrance of the Covered Bridge Community from 30 mph to 40 mph. Commissioner Glover motioned to approve Ordinance 7-2020 upon recommendation by Clark County Engineer Brian Dixon. Commissioner Sellers seconded. Motion approved 3-0.

**H. Attorney Scott Lewis** presented the AIC Budget Agreement. AIC aids the Auditor's office with various components of the budget process. The annual fee is \$20,000, payable in two installments, which has not changed from the previous contract. Commissioner Sellers motioned to approve the AIC Budget Agreement in the amount of \$20,000, to be paid for from Commissioners Contract Services. Commissioner Glover seconded. Motion approved 3-0.

**I. Attorney Scott Lewis** presented the two Cemetery Interlocal Agreements for paving of the cemetery roads. Interlocal agreements, by law, are between two governmental units. Technically, the non-profit cemeteries throughout the county are not governmental units. When cemeteries no longer have a lord, by law, township trustees have responsibility to maintain the cemetery.

The first cemetery, Barnes Community Cemetery, is owned by the Washington Township Trustees according to the GIS. It is estimated that 133 tons of asphalt would be needed to pave the road for an estimated cost of \$6,876.10. The Washington Township Trustees would be charged the County's price of \$47 per ton plus a 10% overage amount that would be adjusted down to the actual cost.

The second Cemetery, Pleasant Ridge Cemetery, is owned by the Pleasant Ridge Cemetery Association Inc. According to the Indiana Secretary of State website, Pleasant Ridge Cemetery Association Inc. has been administratively dissolved. Therefore, the Wood Township Trustee would be the political entity that maintains the cemetery. It is estimated that 117 tons of asphalt would be needed to pave the road for an estimated cost of \$6,048. The Wood Township Trustees would be charged the County's price of \$47 per ton plus a 10% overage amount that would be adjusted down to the actual cost.

Commissioner Glover motioned to approve the Interlocal Agreements for Paving services for Barnes Community Cemetery, in the amount of \$6,876.10, through the Washington Township Trustee and paving services for Pleasant Ridge Cemetery, in the amount of \$6,048.90, through the Wood Township Trustee. Commissioner Sellers seconded. Motion approved 3-0.

**J. Commissioner Coffman** presented the Poplar Street closure in New Washington from 10am to 1pm on Saturday May 30, 2020. This has been requested for a ceremony for a previous Fire Chief who has passed away. Barricades will be placed by the highway department. Commissioner Sellers made a motion to approve the closure of Poplar Street in New Washington from 10am to 1pm on Saturday May 30, 2020. Commissioner Glover seconded. Motion approved 3-0.

**K. Maters Tabled from the prior meeting:** None.

**L. Sheriff Business:** The county sheriff's employees along with the Sellersburg Police will be made aware of the speed limit change on Perry Crossing.

**M. Auditor Reports/Comments:** None.

**N. Attorney Reports/Comments:** None.

**O. Laura Lindley**, with the Health Department, asked which part of the IT Services at the Health Department the Commissioners are paying for. Commissioner Coffman stated that he would investigate it further. Ms. Lindley stated that the Health Department is currently paying over \$1,100 per month, plus \$5,040 per year.

**P. Ratifications and Approvals:** None.

**Q. Commissioner Coffman** presented the Health Board Appointment. The current vacancy is a citizen vacancy. Commissioner Glover motioned to appoint Denny Hill to the Health Board for the citizen vacancy. Commissioner Sellers seconded. Motion approved 3-0.

**II. Technical Agenda:**

Brian Dixon stated that paving has started on Daisy Hill Road. Mr. Dixon received a call saying that a trench was dug that was concerning. He stated that he will talk to the Highway Department to make sure the road was in good condition before they left for the day or to make sure signs are placed.

Brian Dixon stated that Bethany Road utilities are moving forward. Duke is thinking that they will be finished with their easements by the end of summer.

Brian Dixon stated that the transmission went out on one of the Highway pick-up trucks. At the next meeting, he will discuss new pick-up trucks with the Commissioners.

Brian Dixon stated that some people from New Washington wanted to rename a portion of Highway 62 after Dotty Fields. Highway 62 is a state road. They have now requested to rename Poplar Street after Dotty Fields. Changing it would require everyone on the street to change their address and it would set a precedent for the future. The Commissioners stated that they would consider a sign in her honor.


**III. Public Comments:** None.

Commissioner Sellers motioned to adjourn. Commissioner Glover seconded. Motion approved 3-0.


To the extent, the Board held an executive session of any type under (IC-5-14-1.5-6) or otherwise, the Board hereby 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

  
\_\_\_\_\_  
CONNIE SELLERS, VICE PRESIDENT

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BRYAN GLOVER, MEMBER

SIGNED THIS DAY 6-11-20  
ATTEST:   
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DANNY YOST, CLARK COUNTY AUDITOR