

PERRY COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES
April 1, 2024

The Perry County Board of Commissioners met at 9:00 a.m., as was duly advertised. Commissioners: President Randy Cole (RC), Rebecca Thorn (RT), and Randy Kleaving (RK) were in attendance. Auditor Kristinia Hammack, Attorney Andrew Foster, and Sheriff Alan Malone were also present. There was no *News Representative* in attendance.

The meeting opened with all present reciting the Pledge of Allegiance.

AGENDA

RT made a motion to approve the agenda as presented, seconded by RK. Motion carried 3-0.

PUBLIC COMMENTS

a) Warren Taylor

1. Last month, one of the Chief Deputies at the Coroner's office passed away. His family requested that donations be made to the Perry County Coroner's office. Taylor stated he has received donations, but does not have a line item or account to put them in. He is asking for approval to have a line item set up for these donations.

RT made a motion to set up a Donation Fund for the Coroner's Department, seconded by RK. Motion carried 3-0.

2. Taylor would like to have a line-item for copies that attorneys ask for at the Coroner's office. These copies are paid for by the attorneys. He would like to have this money go into a Coroner line-item so that this money can replenish paper and ink cartridges. RC feels this is something the Council needs to be included in for discussion. If the funding by the Council is not sufficient to meet his needs, this is something they need to look at. Hammack stated that every department's fees go into General and every department has an appropriation.
3. The old Coroner's van is sitting outside at the North Annex. He feels there is no reason to keep insurance on that old vehicle. It was set aside approximately three years ago. RC stated that if this van is of no use to the County, then they need to look at it to see if they can repurpose it or get rid of it.

RK asked Taylor his opinion if they should just go ahead and sell this van or scrap it? Taylor stated he does not think they would get much for it.

RK stated that a department had an old vehicle at one time, and they donated it to fire and rescue for extradition where they actually cut it up and then hauled it out to the salvage yard.

RC stated they will have to review this.

b) Sara Worstell, Executive Director with Southwest Indiana Workforce Board Inc.

1. Worshell appeared regarding the Local Elected Officials Agreement that needs to be renewed. The Southwest Indiana Workforce Board is a 501(c)3 that receives federal dollars through the State Department of Workforce Development to operate in nine counties for Work One Southwest offices, as well as other Workforce Development activities. She stated that they come to the nine counties and ask that they identify either a Commissioner or a Mayor to serve as a representative for the County on an Executive Council. It is not a formal board member, but it is a council that meets twice a year. Worstell further stated that she is present to get this Agreement renewed and to identify either a Commissioner or Mayor to be the County's representative. She further stated that historically this representative has been the Mayor of Tell City. This is a two-year term.

RK stated that it has been the Mayor of Tell City since he has been a Commissioner. RT asked if this representative could be the Mayor of Cannelton, and Worstell stated that it has to be a City or Town of 5,000 population.

RC nominated RT to serve on the Council, seconded by RK. Motion carried 3-0.

2. The Work One office is planning a Jobapalooza event on June 13th for Perry County with the location to be determined. Jobapalooza incorporates resource organizations, so it is not just a job fair; it is organizations people may need to secure employment. Most people not only need a job, but some type of support whether it is child care, transportation, legal services, or adult education.
 3. They have formed a partnership with the Child Support Division at the Prosecutor's office, having a representative from the Tell City office to meet with people who may need a job in diversion of facing any type of legal action on delinquent child support.
- c) Gloria Rahman appeared on behalf of her client petitioning to vacate certain streets in Tell City, as set out in the packets she provided to the Commissioners. The first petition is to vacate the East half of 30th Street, due to the West half has already been vacated in an Ordinance in 2012. RT asked if that was vacated through the County or the City of Tell City, and Rahman stated County. In addition, her client requesting to vacate the East and West half of 31st Street that was in bold on the diagram she provided, as well as Guttenberg Street outlined in the diagram.
- RC stated that the adjoining property owners have already taken half of 31st Street, and his concern is that the property the Kellers have has been vacated, so those roads are gone. He is concerned about taking the portion out of 31st Street from Boundary Lane to Pestalozzi to Mozart. Vacating this will cut out an access from Boundary to a back property, so it will be limited. Right now, there is an easement for a road should someone choose to put it in there. Once the County gives that road away, it will cut the access to that back area. RC further stated that the rest of this has been vacated in and around their property, so there is no adverse action that will cause issues as far as getting in and out of the property. The 31st Street vacation would take accessibility out for that road heading North. He further stated that the County needs growth, and anything the County can do not to handcuff the people for potential future growth. Rahman stated that the Aubrey's own quite a bit of land, and have other access to that land. RT stated she does not want to see anybody landlocked, and Rahman stated she does not believe there is a landlock. Rahman does not believe the Aubrey's access their land from 31st Street.
- RK asked who owns the portion on 31st Street, and Rahman responded the Keller's own on the West side of it, her client owns part of it, and the East side is Aubrey.
- RT asked if this would be a problem with the two-mile radius of Tell City that they have? RC asked Attorney Foster, stating Tell City maintains through zoning a two-mile radius of city limits. Does the City need to take action before the County takes action? Foster does not feel that they do as the fringe area is a zoning issue, and this is clearing up who owns the land, not how it is zoned. Foster does not feel this is a zoning issue, this instance is clearing up how the property is used, where the County will be affecting who owns the property, essentially changing from a platted road to a private owner. How that property is used is still subject to Tell City's zoning, the County is just changing the underlining owner. Foster feels the County can take action without having to have Tell City go first. Giving title to this new landowner, they will be subject to any zoning by Tell City. Foster further stated that there are Constructive Easements as well where a landowner can not be landlocked; there has to be some easement given by some adjoining property in order to give them access to a road or utilities. If the County takes action, there are remedies for a future property owner to get access to their land.
- Rahman stated that the last requested street to be vacated is Guttenberg Street, which lies between her client's property and separating their two parcels.
- RT asked if all the landowner's had been notified, and Rahman responded yes, by certified mail; there was one that did not get delivered that she has a confirmation it has now been delivered. In addition, this was published.
- RC stated that if the County vacated everything besides 31st Street, how would that impact the intended use of the property? RC also asked if her client intended to build on it? Rahman believed her client wanted to use the entire properties. The petitioner, Cornelia Bannowsky, stated she and her husband have been taking care of this land since they purchased their property in 2022. RC that they would be able to use the 40 feet on 31st Street, but they will not have a title to it, and will not be paying property taxes on it.

RC stated that by vacating the East half of 30th Street and Guttenberg Street, the client will not have their parcels separated. Bannowsky asked if any neighbors can try to claim the 40 feet on 31st Street, and RC stated no.
RT made a motion to vacate the East side of 30th Street and Guttenberg Street between 30th Street and 31st Street, seconded by RK. Motion carried 3-0.

MINUTES

a) 03.19.2024

RK made a motion to approve, seconded by RT. Motion carried 3-0.

Traci Fischer, Community Correction Director

a) 2025 Community Corrections Grant

Fischer appeared to request approval to submit the Community Corrections 2025 Grant. She is needing their signature to apply for the grant. This grant would run from January 1, 2025 to December 31, 2025.

RK made a motion to approve, seconded by RT. Motion carried 3-0.

Steve Howell, Highway Superintendent

a) Opening of Highway Bids

1. Brushy Fork Road from Tell City Limits for 3.55 Miles to Acorn Road and Continuing 21 Miles ending at State Road 145

- E&B Paving, Inc. \$536,350.00
- JH Rudolph Co, Inc. \$653,680.00
- C&R Construction \$614,311.50

2. Seymour Road from Brushy Fork Road 1500' Ending at the Cemetery

- E&B Paving, Inc. \$51,300.00
- JH Rudolph Co, Inc. \$57,987.00
- C&R Construction \$42,681.50

RT made a motion, subject to review, to award to the lowest bids, which is E&B Paving for Brush Fork Road and C&R Construction for Seymour Road, seconded by RK. Legal Counsel will have to review the bids to ensure they are in order. Motion carried 3-0.

KRISTINIA HAMMACK, AUDITOR

a) 2022 Indirect Cost Allocation Plan for use in 2024.

Auditor Hammack stated that with utilizing Dossett Consulting with the IV-D for the Clerk and Prosecutor, funds for 2022 are received in 2024. She worked with Dossett Consulting getting them all the County's financials to get 66% back. The County will be receiving \$47,015.10 for Indirect Costs for 2022. The cost for Dossett Consulting to do this is \$3,000.00, so it is well worth it working with them.

RC asked if the agreement needs to be signed for the \$3,000, and Hammack stated yes.

RT made a motion to reengage Dossett Consulting for 2023, seconded by RK. Motion carried 3-0.

b) 03.25.2024 Payroll: \$178,627.07

RK made a motion to approve, seconded by RT. Motion carried 3-0.

c) 03.25.2024 Payroll W/H: \$38,162.01

RT made a motion to approve, seconded by RK. Motion carried 3-0.

d) 04.08.2024 Payroll: \$177,479.84

RK made a motion to approve, seconded by RT. Motion carried 3-0.

e) 04.08.2024 Payroll W/H: \$38,010.41

RT made a motion to approve, seconded by RK. Motion carried 3-0.

f) Health Insurance Claims: \$45,725.97

RK made a motion to approve, seconded by RT. Motion carried 3-0.

g) Dental Claims: \$106.41

RT made a motion to approve, seconded by RK. Motion carried 3-0.

h) Vision Claims: \$122.13

RK made a motion to approve, seconded by RT. Motion carried 3-0.

i) Life Insurance Claims: \$1,447.10

RK made a motion to approve, seconded by RT. Motion carried 3-0.

j) Flex Claims: \$1,048.37

RT made a motion to approve, seconded by RK. Motion carried 3-0.

k) 04.01.2024 AP Claim docket: \$475,931.14

RT made a motion to approve, seconded by RK. Motion carried 3-0.

COMMISSIONERS

a) Additional Appropriation

- Waggoner, Irwin & Scheele

This is for an invoice which primarily it is for the Personnel Policy Handbook. Hammack stated she took this invoice to the Council last week. Typically, this is paid out of the Commissioner's line item for Consulting, for which it had a budget of \$3,000.00 for 2024. All of this amount has already been used and had to ask for an additional due to some legal consulting. The Council wants to pay this out of General; therefore, an additional appropriation is needed from the Commissioner's budget.

This will be advertised in April and paid at the first of May claim docket.

RT made a motion for the additional appropriation for Waggoner, Irwin and Scheele seconded by RK. Motion carried 3-0.

b) County Tahoe Repair.

RC stated that Steve Hauser informed him that this is the vehicle that had a transmission and rear-end put in it recently. RC stated it is a decent vehicle and probably need to repair it.

RT asked if an Ordinance could be made that this vehicle is not to be driven out of the County? RC stated they could look at that. Hammack stated that the vehicle is not driven that often so it just sits idle too much. She further stated she recommended the same thing, and to let employees drive their own vehicles and pay mileage due to everyone feels more comfortable driving their own vehicle. However, we need to have an in-County vehicle available for use by the Assessor. RK asked Assessor Mendy Ward if she uses this vehicle a lot, and she stated they use it approximately four months out of the year obtaining data collection. They are getting ready to start using it in June. Ward stated that the Assessor's office needs a four-wheel drive due to the conditions they encounter, such as crossing creek beds.

Hammack stated per the Employee Handbook, they are supposed to use the County vehicle for work travel purposes, and many people have stated they do not want to drive the County vehicle, but rather get mileage and use their own vehicle. RK stated he sees where the Extension office might need this vehicle to haul something to Purdue.

RK feels the vehicle is worth fixing.

The County received two bids to repair the Tahoe. They will award to the lowest bidder.

RT made a motion to repair the Tahoe, seconded by RK. Motion carried 3-0.

c) Surplus Items

Hammack stated this is the Sling Studio (broadcast platform) and old items that were in the Courthouse Meeting Room.

RT made a motion to approve the listed surplus items consisting mostly of microphones and mix board, seconded by RK. Motion carried 3-0.

d) PCDC Contract

The PCDC Contract is for \$180,000. RK asked if last year's contract was for \$189,000, and RC confirmed this. RK asked if the PCDC would see the need for the extra \$9,000 throughout the year, can they come back to the Commissioners? RC stated that the contract was based on PCDC being a non-profit, and the County is covering their expenses, being salaries, insurance, etc. RC stated that the way the contract is actually written, if the PCDC comes up with projects over and above the \$180,000, they can come back to the County and ask for more money. The contract basically covers the PCDC's expenses as a non-profit. Hammack asked if this is approved, she should divide the \$180,000 by 12 months and pay out January, February, and March? RC stated yes, pay out the first quarter. RC further stated the contract needs Council approval as well.

RT made a motion to approve the Perry County Development Contract, seconded by RK. Motion carried 3-0.

- ### e) RC stated that Kenny Simpson has been working on a Courthouse expansion pending approval from the State Legislature to change the verbiage so the County can use the funds that were collected in Special Legislation for paying off the Jail debt. This was approved mid-March when the Governor signed it. RC further stated that the County is now in a position where it can move forward. Simpson is approximately 70% through the process.

RC stated that the concept behind this expansion is that the building on the Court side is the same length as the building on the West side. This expansion will

bring out the building so that they are parallel, and the plan is to make the parking the same as on the East side. Hammack asked if there are going to be doors on the West side, and RC stated only one door, just for the Prosecutor's office.

Assessor Lassaline made a public comment regarding needing doors on the West side for other offices.

RC stated there are options they can look at regarding parking.

RK asked if the door for the Prosecutor's office comes directly into an office, or is there a hallway, and RC stated it is a hallway. RK asked if this hallway can be used by employees to get in the Courthouse? RC stated Courthouse employees would have to walk through an office, similar to if a door was added on the West side. RC stated he believes the doors on the Court side all go into a hallway, not directly into an office. He further stated that the County can look to see if a door can be added on the West side and what it involves as far as getting approval to do this, as well as the impact and cost to do this which is an engineering question. RC stated that the West side will lose six to seven spots with the expansion, but gains 19-20 on the side of the building.

RK asked that if one extra door was added on the West side towards the Assessor's office, would that work? Assessor Lassaline stated there is no hallway in her back room for Courthouse access.

RK stated that an alternative could be to put an awning on the building so that those that have to park on the side to utilize the back door are protected from the weather.

Lassaline pointed out that the public's access to the Prosecutor's office needs to be looked at, as the hallway to the Treasurer's office during tax time has people lined up in the hallway. There could be a traffic-flow issue.

RT made a motion to pay Kenny Simpson \$15,000 from the EDIT money that was Supplemental used previously to do studies on I-64, seconded by RK. Motion carried 3-0.

- f) Hammack stated that Alpha presented a quote for a compressor stemming back to last Fall's discussion regarding the compressor. Alpha was at the Courthouse the prior week. They asked Greg Hendershot if anything had been decided on the compressor. RC stated that when this was discussed prior, the County did not have any money to fix the compressor. He further stated that there are three compressors and one of them is bad. Two units keep the building cool, and if one of those two goes down, then it will be hot in the Courthouse. The third unit is a backup if one goes down. The control systems in the building do not work to regulate temperature in each office. This results in the boiler running and the air conditioner running at the same time, and getting a \$400 gas bill in the summer due to someone is trying to get warm and others trying to get cool. RC stated the building was built in the mid-1990's. He added the whole control system needs work done on it.

Hammack stated that the information Hendershot received from Alpha was that nothing more can be done for the compressor. RC stated that the compressor can be put in and the Courthouse will continue to have cold spots and warm spots. With the expansion, they could have hooked into the existing one or have an independent one. He stated that clearly the independent was less costly and they will have their own control.

RC stated that at some point the County will have to get a heating and air conditioning engineering firm to review the entire building and see what the options are. RK asked that while doing the expansion, could the old system in the Courthouse be looked at as well in heating and air? RC stated that in his opinion this is not something Kenny Simpson would get involved with. He feels that they would have to find someone who gets involved with larger buildings. RC said he is not opposed of getting a proposal so that the County will have a number of what they are looking at, as well as options of utilizing the existing system versus a completely new system.

RC stated alpha quoted to fix the compressor, which was approximately \$8,000. Updated quotes need to be obtained. Henderson is to contact Alpha for this.

Tabled.

- g) Assessor Lassaline asked the Commissioners what the current plan is to fill the Planning and Zoning position? She stated that there needs to be a person in the Courthouse so that the public knows the scheduled times that person is here in the office. She also feels the County is missing out on revenue for the cost of the permit plus revenue for the four years before an improvement can be added to the tax roll. She further stated that the public is frustrated.

RC stated that the Planning Ordinance, the Plan Commission is the one who makes that decision. He knows they are working on this. RK asked if they will actually pick the individual, and RC stated yes, they work under the Plan Commission.

- h) The next meeting will be Monday, April 16, 2024 at the North Annex Training Room.

The meeting was adjourned at 10:32 a.m. CST.

RK made a motion to adjourn, seconded by RT. Motion carried 3-0.

Randy Cole
President

Rebecca Thorn
Vice-President

Randy Kleaving

*Minutes prepared by:
Kristinia L. Hammack, Auditor*