

PERRY COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES
June 3, 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 and Attorney Andrew Foster were also present. There was no *Sheriff or News Representative* in attendance.

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

AGENDA

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

PUBLIC COMMENTS

- a) RK asked that the community keep the James family in their thoughts and prayers.

SRI SERVICES, INC.

- a) Zach Hughes, President of SRI, and Tyler Clemens, SRI Representative for Perry County, appeared by request of the Auditor and Treasurer to discuss the Tax Sale process and what it looks like after the sale as far as processing redemption. Hughes explained the scenario for when a tax sale occurs and the redemption process for the property owner. Businesses and individuals purchase these properties at Tax Sale to get interest on their money. He discussed the bid process. If the property is not redeemed, the buyer, in order to take deed to the property, has a title search completed. This fee is set by the Judge prior to the Tax Sale, and is reimbursed to the buyer. Hughes stated that the buyer gets 5% per annum interest on any surplus above the minimum bid. If the Tax Sale is redeemed in the first six months of the year, there is a 10% penalty. If it is redeemed in the second six months, there is a 15% penalty.

Hughes stated that when the sale occurs, and there is no surplus being the minimum bid only, that money goes directly towards the taxes. If there is surplus which is anything above the minimum bid, that money goes into a special surplus fund. If the next year there are subsequent taxes and enough money in that surplus fund for that parcel, that surplus will be used to pay the next installment of taxes.

In order to redeem, all outstanding taxes have to be paid, plus the 10% or 15% penalty, and 5% per annum interest on any surplus amount, and any 137B expenses. When received, the amount that is surplus is put in the Redemption Fund and paid to the buyer. The buyer gets all their money back plus extra interest and penalties.

This procedure is prescribed by State Statute. Form 137 contains all the tax sale information.

RC asked Hughes if his software actually enters any information into the County's system or LOW system, and Hughes responded they have a file that can be provide to the County giving information to make entries, but SRI does not physically enter into the County's system.

RC stated that the Commissioners have to approve all amounts being paid out by the County, and he could not track where the money was received from an individual, but found an entry in a Miscellaneous account that matched those dollar amounts. It was not tied to that specific property. RC is wanting to see an audit trail. Treasurer Amanda Lasher stated that when the Treasurer receives the money, it is put in a Quietus and information is entered in the notes as to who is paying it. RC stated that if this notation of where the money came from can be seen on a report, this will create an audit trail. Lasher stated that the Commissioners need to be able to see the notes and will follow up on this.

RK asked why this has never been questioned the way the County has handled this? In the past, it was never questioned in an audit. RC stated that in an audit, portions are picked out to audit, not 100% of the entity.

RT stated that Kimberly Lasher does an excellent job for the County with Tax Sale.

- b) The SRI contract for needs to be renewed. The County has used their service for over ten years. SRI's fee is paid in the minimum bid at Tax Sale.
RT made a motion to retain SRI Services, Inc. for July 1, 2024 through June 30, 2025, seconded by RK. Motion carried 3-0.

ERIN EMERSON, PERRY COUNTY DEVELOPMENT CORPORATION

- a) The Perry County Development Corporation (PCDC) Quarterly Update was presented to the Commissioners. The following areas were discussed:
- Attraction
 - Retention and Expansion
 - Workforce Development and Talent Attraction
 - Community Development
 - Marketing
 - Regional/Statewide Activities and Initiatives

STEVE HOWELL, HIGHWAY SUPERINTENDENT

- a) Howell presented an application from Sam Foertsch to cut a right of way on Old State Road 237 by the solar panels in install water lines for the Hoosier Heights Subdivision. Meters were put in last year, and Foertsch stated he would be close to the centerline to hook to those meters.
RC wants to make sure that whoever become the end owner of those lines, whether given to Tell City or someone else, that the owner will allow others to tie on to that line both ways down the road, so that the highway is not cut multiple times.

RK stated this could be an engineering question if the line is big enough to supply multiple homes. Howell stated it is an 8" line.

RT asked Attorney Andrew Foster if there would be any legal issues with this, or papers that need to be executed regarding persons wanting to tap into that line?

Foster asked if a permanent easement is being asked for to service this line?

Howell responded the only item is an application to cut the highway at this time.

Foster stated that there would be no property right. RC stated there needs to be access for maintenance. Foster responded that if this line is not the property of the County, then there will need to be an easement to maintain it. RC stated the County needs to know who the owner is going to be to maintain this line.

Howell does not believe a bid has been secured for this project yet, therefore RC stated action can be taken at the next meeting. He would like to get an easement prepared and specifics in writing.

RT made a motion to table until the next meeting, seconded by RK. Motion carried 3-0.

- b) Perry Central School Corporation has submitted a request to close a section of Old 37 past Perry Central School July 19th through July 21st for an All-Star Tourney. This is requested every year for their tourney.

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

MINUTES

- a) 05.21.2024

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

KRISTINIA HAMMACK, AUDITOR

- a) 06.03.2024 Payroll: \$179,677.80

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

- b) 06.03.2024 Payroll W/H: \$38,850.49

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

- c) Health Insurance Claims: \$58,044.89

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

- d) Dental Claims: \$106.41

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

- e) Vision Claims: \$122.13

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

- f) Life Insurance Claims: \$1,414,.58

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

- g) 06.03.2024 AP Claim docket: \$342,898.08

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

COMMISSIONERS

a) Opening of Highway Bids

1. Bituminous Surfacing of Brushy Fork Road from Tell City Limits for 3.55 Miles to Acorn Road and continuing 2.1 miles ending at State Road 145:

C & R Construction and Consulting, LLC	\$614,311.50
E & B Paving, Inc.	\$602,900.00
JH Rudolph & Co, Inc.	\$594,048.75
MAC Construction & Excavating, Inc.	\$607,600.00

JH Rudolph & Co, Inc. is the low bidder.

2. Bituminous Surfacing of North Avery Ridge Road from Avery Ridge Road to Spencer County line and Chaplin Road from SR 145 to end of pavement and St. Joe Cemetery Road from SR 145 to Liberty Road and Old SR 37 from SR 37 to SR 70:

C & R Construction and Consulting, LLC	\$673,170.00
E & B Paving, Inc.	\$676,100.00
JH Rudolph & Co, Inc.	\$723,130.75
MAC Construction & Excavating, Inc.	\$717,965.00

C & R Construction and Consulting, LLC is the low bidder.

3. Bituminous Surfacing of Carlisle Road from SR 145 to Camargo Road and Camargo Road from Carlisle Road to SR 62 and Leopold-Oriole Road from Leopold Road to Opera Road and Opera Road from Leopold-Oriole Road to Oriole Road:

C & R Construction and Consulting, LLC	\$1,500,000.00
E & B Paving, Inc.	\$1,468,200.00
JH Rudolph & Co, Inc.	\$1,571,749.95
MAC Construction & Excavating, Inc.	\$1,534,200.00

E & B Paving, Inc is the low bidder.

RK made a motion to award to the lowest bidder pending legal review, seconded by RT. Motion carried 3-0.

b) Additional appropriation for Worker's Compensation Insurance.

RC stated that each year they come in to decide what the experience category is and the number of hours that are used. Next year's price for Worker's Compensation Insurance is then given to the County. There is not a lot of ability to negotiate this price. RT asked what is the amount of the additional, and Hammack stated the total is an additional appropriation of \$5928.

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

- c) RC stated there was a recent resignation from the Commissioner's appointment to the Perry County Convention, Visitor and Tourism Commission. He suggests that this position be advertised and he believes this term lasts through 2024. RC stated the Commissioners have six appointments, and the City of Tell City has five. RK asked if they will advertise this for six weeks, which will be in July, and RC felt that two weeks would be sufficient as it is to fill a six-month gap. It will be posted and an appointment will be made at the June 18th meeting.

- d) RC stated the Council approved using the ARP funds, and he would like to get the ambulance bidding out as soon as possible.

RC has reached out to get specifications on the ambulance remount. The equipment that is going on the inside of the ambulance is being handled by Dr. Michael Daum and Leonard Hahus. RC would like to accept these bids on June 24, 2024.

RC stated that the Courthouse expansion drawings have been viewed by the Commissioners, and a meeting was tentatively scheduled for June 24th at 4:00 p.m. simply for opening bids. RC is hoping that some items can be awarded by July 1st. This has been submitted to the State for approval. RC stated that if there

are any questions on June 24th, they can be addressed in the next week and awarded on July 1st.

- e) Onyx Road was discussed at the last meeting, and Highway Superintendent Howell looked at his list of roads he is getting paid for and this road does not show up. Foster suggested having a title search. RC is concerned that some of the County roads were not actually County roads; the County just took them over and there was never any documentation. RC is not aware of how this road got on the mapping system as a road. Attorney Foster stated a title search will be helpful, as an abstractor will look at all the records. The attorney the County hires to do this will look through all the records and determine, based on these records, the title opinion that the County does or does not have the responsibility for this road as a County road. Possibly this was a private road at some point and fell through the cracks. This title opinion will give a definitive answer of who actually owns this road.
RC asks what amount could the County be looking at as far as costs, and Foster stated possibly \$400-\$500.

RT made a motion to hire a Title Searcher to determine if the County has any ownership, seconded by RK. Motion carried 3-0. Attorney Foster will secure an attorney for this.

- f) Evansville Marine Service, Inc. is asking for a Proclamation for Shipyard Safety Recognition Day on July 14th.

RK made a motion to declare July 14th as Shipyard Safety Recognition Day, seconded by RT. Motion carried 3-0.

- g) RT stated that the Commissioners received an email regarding the County towing contract. She asked if there is currently a County towing contract, and Hammack stated not that she was aware of. RT stated that a few years ago, there was a lot of discussion regarding this. At one time, there were two larger towing services, and one smaller one in the county. RT stated that at that time, they were put on a rotation. Bozarth is questioning if there is a current contract.
Currently there are three towing services in Perry County. RC is not aware of how the process works when a towing company is called. Attorney Foster stated possibly this comes from the Sheriff’s Department and goes to Dispatch, and whatever procedure they were given is followed. Hammack suggests these towing companies reach out to the Tell City Police Department to see what their rotation is through Dispatch. RK stated that in his twelve years as Commissioner, he never remembers discussing this. He agrees that this question needs to be directed to Dispatch.

- h) The next meeting is Tuesday, June 18, 2024 at 6:00 p.m.

The meeting was adjourned at 10:15 a.m. CST.

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

Randy Cole
President

Rebecca Thorn
Vice-President

Randy Kleaving

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