

Board of Commissioners

June 4, 2007 – 8:47 am

Meeting called to order by President Rininger. Commissioners Rininger, Logsdon, Gogel, and Board Attorney Lueken were present.

Claims

Gogel made a motion to approve claims. Logsdon seconded. All in favor.

Minutes

May 7, 2007; May 7, 2007 Executive Session; and May 22, 2007. Logsdon made a motion to approve. Rininger seconded. All in favor.

Swimming Pool Enclosure Ordinance

Rininger explained an ordinance that brings the county swimming pool ordinance in line with Indiana Code. The ordinance will be numbered 2007-04. Logsdon made a motion to approve. Gogel seconded. All in favor.

Zoning Ordinance

Rininger explained an ordinance that brings the county zoning ordinance in line with Indiana Code. The ordinance will be numbered 2007-06. Logsdon made a motion to approve. Gogel seconded. All in favor.

BEDC

Tom Utter, Director of Lincolnland Economic Development Corporation, summarized the benefits of the Business Enterprise Development Center which serves the small business and entrepreneurial community. The BEDC offers services, training and advice free of charge. It has blended well with the adult literacy, adult education and schooling available at the Kennedy Center. Utter and LEDC Chairman Jeff Lindsey asked the commissioners to request from the council the amount of \$50,000 which will be used as a cash match for a \$150,000 Rural Capacity Grant for Workforce and Educational Development from the Indiana Office of Community and Rural Affairs and for operating expenses not covered by the grant. The Southwest Indiana Network for Education (SINE) will administer the grant. Rininger asked if the BEDC will be self-sustaining. Lindsey stated that is the goal.

Rininger stated he would like to see a measure of what has been accomplished. Utter stated many companies have been helped, and mentioned K & K Excavating. Doug Knepper, Vice President of K & K, was present and Logsdon asked him how the BEDC has helped. Knepper stated the BEDC has been very helpful with bookkeeping, marketing, and making necessary contacts.

Lindsey stated that the deadline for the grant application is June 29th, and they are hoping to have the request before the council on June 19th. Mary Kay Cardinal of SINE, who will be administering the grant, stated that the BEDC puts Spencer County ahead of the game; none of the surrounding counties provide such a service. There was discussion about the timing of when the matching funds will be needed and when it must be spent. The grant is for 18 months, part of the matching funds can be given in 2007 and part in 2008, as long as there is a written commitment for the money.

Gogel stated that through out the grant papers it refers to "regional use", and asked why these other counties are not contributing to the matching funds. Duncan explained that companies that have come from other counties were not solicited by the program; they heard about it by word of mouth and they are relatively small in number. But since they did come from other counties, it can be stated in the grant that it is regional and that increases the likelihood of receiving the grant.

Gogel stated that he is not comfortable funding the BEDC because the county businesses should step forward and support it. Logsdon stated he sees this as an investment in the growth of the county, but is unsure of what funds should be used. Gogel stated COIT funds could be used. Councilman Ebert stated that he thinks the program is worthwhile but he would be surprised if the council is willing to fund before budget time. Lindsey stated that right now all that is needed is a letter of commitment to provide the money.

Logsdon made a motion to request that the county financially support the grant application with \$50,000. Rininger seconded. Logsdon and Rininger voted in favor of the motion. Gogel opposed. The motion passed.

Logsdon encouraged Lindsey, Utter and Duncan to approach businesses to get additional support, and also find out an exact date of when the 1st installment of funds would be needed if approved.

Lindsey and Utter thanked the commissioners for their time and consideration.

LEDC

Utter reported to the commissioners a summary of some of what the Lincolnland Economic Development Center has been involved in, including a recent site visit of a manufacturer that potentially may expand to Spencer County. Other projects include the new company in the old pottery, BFI, Inc. and the Thermwood expansion. Utter thanked the county for the incentives offered to BFI, Inc. Utter further stated that a letter of intent has been received from another company that has not asked for incentives. Utter stated that he is very proud of the growing small business community. Logsdon stated that even though Rininger represents the commissioners on the board, he would like the LEDC to send him and Gogel a monthly report of what is going on. Councilman Ebert stated that the council would like that also.

Citizens Corp – Community Crime Watch

Al Perdue, standing in for Jane Stout who is the Citizens Support Council President, reported to the commissioners the activities the Citizens Corp has been involved in, including a flip chart on what to do in case of emergency, a guide for local officials, and the CERT program. The CERT program currently has 80 members and a new class will start in August in Santa Claus. The state requires that the Citizens Corp be

involved in two programs to receive grant money, and they have decided to do the Community Crime Watch. Joey Brown, the Dale Town Marshal, will be heading the program. Perdue stated that no action or money is required from the county, he is just asking for the blessing of the commissioners to move forward. All of the commissioners agreed that Perdue is doing a good job. Gogel made a motion to have Perdue move forward on the programs. Logsdon seconded. All in favor.

The Way

Ron Conner of The Way thanked the commissioners for the work that has been done by the county on the old jail and removing the old EMT building. Conner showed the commissioners a drawing of the plans The Way has for the old jail, and asked for permission to begin remodeling work on the second floor which will be the living quarters for 12 or 13 men. Beds, desks and lounge furniture have been acquired by Larry Shelton from the University of Southern Indiana and donated to The Way. Phase two will be the lower level. The Way has received two small grants to help fund the project. Lueken stated he will have to check and see if any changes have been made in the statute and on the liability of the county. Logsdon made a motion to have Lueken research and give advice on whether to lease or to transfer the building to The Way, and then the commissioners will take action at the first meeting in July. Gogel seconded. All in favor. Conner asked what the timetable is. King stated that there are several things stored on the second floor, mostly things that need to be disposed of. Logsdon asked if Conner would have the man power to move the items if needed. Conner said yes. Logsdon asked for the disposal of surplus, new building proposals, and the transfer of the jail to be put on the next agenda. Logsdon also asked that King, Sheriff Lindsey, Commander Green, and Perdue meet with him on June 13th or 14th and bring back a recommendation on what is needed in a new building to the commissioners.

Amending Ordinance 2005-11 Regulations for Sexually Oriented Businesses

Lueken presented the commissioners with an ordinance that amends Ordinance 2005-11 which establishes licensing requirements and regulations for sexually oriented businesses within Spencer County. There is no grandfather clause in the ordinance. The ordinance will be numbered 2007-05. Logsdon made a motion to sign the ordinance. Gogel seconded. All in favor.

Legal Services

Lueken explained that the budgeted amount for attorney fees has been depleted. He asked that an additional of \$20,000 be requested. Gogel stated that he feels the money should be appropriated as bills come in, not in a lump sum. Logsdon stated that he wants to be better informed as to the work Lueken is doing and Lueken needs to wait on direction from the commissioners to do work. Logsdon made a motion to request an additional of \$10,000. Gogel restated his position. Rininger seconded. Logsdon stated that after the \$10,000 is spent the bills need to come before the commissioners each time for appropriation. Logsdon and Rininger voted in favor of the motion. Gogel opposed. The motion passed.

Highway Report

Surplus Equipment - Painter stated that the online surplus sale is finished and he will have amount of the money made at the next meeting. Painter asked the commissioners to sign a title for one of the vehicles sold. Gogel made a motion to sign the title. Logsdon seconded. All in favor.

Painter stated that the Silverdale Road project will begin this week, and he has obtained estimates for the patching of some of the CEDIT roads.

Logsdon stated that he received a call from Bud Schaaf on CR 600E and 32 bags of trash were dumped on the county right-of-way. The Sheriff was called and action will be taken, but he stated that he could not find a county ordinance on trash dumping. Logsdon asked if county highway employees can be used to help pick up the trash. Painter said he has worked with Debbie Steinkamp at solid waste before and he will talk to her. Lueken stated he was sure that there was an ordinance.

Engineer Report

Bridge # 292 - Holstein stated that Bridge # 292 is open to traffic and United has inspected it.

INDOT Project List – Holstein gave the commissioners a list of the projects planned by INDOT in the county for the next 18 months which shows the intended work on new SR 231. Logsdon stated that the county

needs to consider the possibility of a need for a highway overpass with the increase in rail traffic. Holstein will look into getting an estimate of the cost.

MCF House Movers – Holstein stated that MCF House Movers has requested permission to move a house on 1350 N and 225 E, and they will be moving approximately 1.8 miles. The total bond for that would be \$72,000; the cash bond would be \$14,000. In the past the county has let MCF do a 100% surety bond and we have not had any problems. Logsdon made a motion to approve the request and allow a 100% surety bond. Gogel seconded. All in favor.

Mariah Hill Parade – Gogel asked if the county needs to give permission to close the road for 30 to 40 minutes for the Mariah Hill Parade on June 30th. Rininger stated he just needs to contact the Sheriff's department and notify them.

Logsdon asked what it would cost for a land owner to have their gravel road treated for dust. Painter stated he refers people to Sampson Oil in Owensboro.

Rotunda

Auditor Shelton asked Rininger to sign the change order for the rotunda project which was approved at the last meeting. Rininger signed.

Legal Report

Appointments - Lueken stated that with Cochenour being seated as a councilman, there are openings on the Plan Commission Board and the Board of Zoning Appeals. Logsdon made a motion to appoint Steve Sisley, a republican, to serve on the Plan Commission. Logsdon further stated that statute requires that the position be filled by a Republican or Independent. Gogel seconded. All in favor. Logsdon made a motion to appoint Jerry Embry to the Board of Zoning Appeals. Rininger seconded. Logsdon and Rininger voted in favor of the motion. Gogel opposed. The motion passed. Lueken stated that Charles Waninger resigned from the Redevelopment Commission. Logsdon made a motion to accept the resignation, thank Waninger for his service, and appoint Mark Lubbehusen. Gogel seconded. All in favor.

Ameresco

Lueken distributed to the commissioners a copy of the Substantial Completion Agreement with Ameresco that will need to be signed when it is determined that they are substantially complete. Phil Pursley addressed the commissioners and went through each of the eight projects which were to be completed.

1. Lighting – Pursley said the lighting is complete. King disagreed. Pursley stated the candle levels meet the international standards. King said the lights in the outdoor recreation room do not work. Pursley stated no work was done in the recreation room, but if the problem was caused by Ameresco then they will fix it.
2. Roof Top Units – There is a one year warranty on the roof top units, starting on the date of completion. If there are any problems, Ameresco will be called. Rininger stated that routine maintenance needs to be done for the warranty to be valid.
3. Water Softener – The water softener is installed and jail personnel will be trained on its use on Friday.
4. Washer/Dryer – King informed Pursley before the meeting that there is a problem with the washer and after the meeting Pursley will call and get it taken care of.
5. Roof Improvement – The roof improvement is complete and the contractor will be at the jail at 1:00 today.
6. Plumbing Fixture Control Valves – The valves are on back order and should be in this week.
7. Weatherized Exterior Doors – The doors should be completed this week.
8. Water Conservation – The water conservation improvements are complete.

Pursley stated that Ameresco will change the filters one more time so the commissioners will have time to hire someone to do preventive maintenance. Ameresco will provide the county with a list and time schedule of when preventive maintenance needs to be done. Heirbrandt stated that Ameresco will get preventive maintenance proposals from three companies for the county.

King stated that there are still some problems; there is no hot water and the commodes are flushing several times in a row. Pursley stated he will take care of the problems.

Pursley stated that substantial completion means that the system is working. Heirbrandt stated the substantial completion agreement does not need to be signed at this meeting. Rininger stated that it will be put on the agenda for the June 19th meeting.

Logsdon made a motion to adjourn. Gogel seconded. All in favor. The meeting was adjourned at 11:45 am.

Board of Commissioners,

President

Attest:

Cindy Shelton, Auditor
