

**PERRY COUNTY BOARD OF COMMISSIONERS
MINUTES – JANUARY 18, 2022**

The Perry County Board of Commissioners met at 9:00 a.m. as was duly advertised. Commissioners attending the meeting were President Thomas J Hauser, Randy Kleaving and Gregg Jarboe. County Administrator Teresa Kanneberg and Chief Deputy Sheriff Eric Dickenson were also in attendance.

The meeting opened with the Pledge of Allegiance.

AGENDA

Tom said there were several additional items that need to go on the agenda. They are: Julie Dixon (before the Animal Board appt.), Adjourn & Board of Finance meeting at the end, Highway Additional Appropriations, Payroll Benefit Claims, ARP Plan change and Keys to Harrison County for Animal Shelter. Also need to remove Personnel Policy changes. Randy made the motion to approve the agenda with the amendments, seconded by Gregg. Motion carried 3-0.

PAYROLL

Gregg made the motion to approve the payroll dockets in the amount of \$146,752.31 for the payroll distributed on January 14, 2022, Overtime Pay for the Health Department on January 14, 2022 in the amount of \$9,567.93 and Election pay on December 31, 2021 in the amount of \$3,000.00, seconded by Randy. Motion carried 3-0.

PAYROLL CLAIM DOCKETS

Randy made the motion to approve the Payroll Benefits Claim Dockets in the amount of \$216,617.59, seconded by Gregg. Motion carried 3-0.

MINUTES

Minutes from the meetings of November 1, 2021, Special meeting November 10, 2021, and November 16, 2021 were mailed to the Commissioners for their review. Gregg asked Auditor Pam Goffinet if she saw the changes he had. She said she did the one on November 1st but didn't see the others before the meeting. Gregg made the motion to approve the November 1, 2021 meeting and table the other two until the next meeting. Randy made the second to the motion. Motion carried 3-0.

AFFIDAVIT FOR PAYMENT

Alvin Evans with the Perry County Development Corporation presented the Commissioners with an affidavit to authorize Old National Bank to make certain payments from a Construction Fund established by the Trust Indenture dated December 1, 2014, and the Third Supplemental Trust Indenture dated as of April 28, 2021, between the County and the Trustee. It was explained that these invoices will be paid from bond proceeds and that the projects were already approved by the Redevelopment Commission. The invoices for payment are: Exhibit A - \$61,240.00 to be paid to the Perry County Development Corporation for Project 2, Industrial Park Mitigation Monitoring, RES Kentucky LLC, Task #8, Annual Mitigation Monitoring, Cash Waggner Industrial Park South #3 of 5 annual fee and Cash Waggner Riverview Switzer Road annual fee. This will be paid from 2021 Bond from TIF #3. Randy made the motion to approve the affidavit, seconded by Gregg. Motion carried 3-0.

ADDITIONAL APPROPRIATIONS – HIGHWAY

Highway Superintendent, Steve Howell, presented the Commissioners with an additional appropriation in the amount of \$42,450.00 to replace Bridge #174 on 21st Street. He had another additional appropriation for \$2,700.00 because the Federal Highway and INDOT did not agree on the formula that was used to calculate weight loads on bridges. Randy made the motion to approve the additional, seconded by Gregg. Motion carried 3-0. Steve also informed the Commissioners that the Community Crossings grant was submitted last week. He also said that the price per mile for paved roads has increased from \$89,000 per mile to \$161,000 per mile. He had to take some roads off the list. The price is based on oil prices.

APPOINTMENT – ANIMAL CONTROL & EDUCATION BOARD

Randy stated this appointment was tabled from the meeting before for legal advice and he made a motion to do it again until the February 4th meeting to have Attorney Chris Goffinet to answer any questions we have and for the public also. The Commissioners stated that they need to address the questions next meeting when legal is there. Gregg seconded the motion. Motion carried 3-0. Gregg said it is good to make sure we have our T's crossed and I's dotted on this.

ARP PLAN CHANGE

Gregg said the ARP plan has one line that needed to be changed. He said it is on page 4, section 1a. It says the county will establish a grant program to non-profits in certain areas as approved by the county, it really should have said to non-profits and small businesses. He said it was missed when we did the first reading. Tom asked if Chris has prepared new documents. Gregg said he has and has sent them to us. He said we just have to sign them at this point. Tom asked if we were ready to take action today. Gregg said he didn't see any reason why not. It was approved by the ARP Advisory Committee. Then the ARP Committee can move forward on January 27th. Gregg made the motion to change the wording in that section of the plan. It will establish a grant program to non-profits and small businesses in certain areas as approved by the county. Randy made the second to the motion. Motion carried 3-0.

TRANSFER REQUEST- COMMISSIONERS

The Commissioners had a transfer request from the animal shelter contract to building maintenance. Teresa informed them that it is for a heater for the building. Tom asked if this fell under general maintenance. Teresa said there is no general maintenance under the animal shelter budget. Auditor Goffinet explained that the animal shelter budget has the \$35,000 for the contract in it and you have transferred some for animal control services but not for building maintenance. Tom asked about county building maintenance in the General fund. Teresa said there is a courthouse building maintenance that covers the other county bills. She asked if they wanted to take the animal shelter building bills under the courthouse maintenance line item. Tom said the question is whether to combine this building with the others and pay out of the courthouse building maintenance or create a separate line item. Gregg said we should keep them separate. Pam said that is the reason why we were doing the transfer since it has its own department so you knew their expenses. We have kept all the other expenses separate. Jim Carter spoke up saying that he talked with Greg Hendershot on some other things needed there. There is a tree that needs cut down and a boiler to replace. Tom asked if they should wait for the new operator. Gregg said who knows when that will be. Tom said right now we are maintaining as is. Gregg said that money is going to whoever is going to operate it anyway. The money can't be spent anywhere else. Gregg made the motion to put \$5,000 into a building maintenance line item from the budgeted \$35,000, seconded by Randy. Motion carried 3-0.

MISCELLANEOUS

Julie Dixon came before the Commissioners and read a letter she prepared that talked about the animal control board on what they have done since 2018 and the appointment that needs to be made. Gregg commented about the appointment, your appointment, that this isn't a debate. It is one day after the Fix A Stray was incorporated, so they were incorporated on the 28th of December and on the 29th, we received a letter from Fix A Stray. He said by letter of the law you did meet it. Julie said it is in the ordinance that one member from a Perry County Welfare organization and one member from the Perry County Ag Animal organization, each such organization may recommend a board member or a member of the public for the Commissioner's consideration. Gregg said there is no question. To the letter of the law, you met it, it is interesting to him that Fix A Stray was incorporated a day before your recommendation. Julie said that the ordinance says each organization may recommend the board but it doesn't say they have to. Shannan Sturgeon met the 30-day requirement as Mr. Carter did. There was a lot of heated discussion among the public members. Gregg said that Tonya Rankin qualifies also then.

Becky Thorn commented that Julie said she was appointed by the City of Tell City. She said yes. Becky asked her where she lived. Julie said according to the ordinance, it states for Tell City to appoint one member and Cannelton shall appoint one member as an at-large member who is a Perry County resident chosen by a majority of

the city council. It does not say they have to be a resident of the city. Becky asked if any of the positions have to live in these cities. Julie said no. The five board members are: one is from an animal welfare organization, one is the ag animal organization, one appointed by the County Council from an animal sporting organization, one from the City of Tell City, and one from the City of Cannelton.

Jim Carter stated that on January 4th he gave the Commissioners an insert from the animal control ordinance that read the organization that made the appointment. He said he assumed the organization is the Commissioners. Tom said yes that is what is defined in the ordinance. Jim said that is his agreement also. He secondly said on January 4th when the appointments were announced, he stated that Teresa said that Shannan Sturgeon was a member of the Humane Society. He wanted to know if her appointment was from the Humane Society or Fix A Stray. He said this is important. Gregg said it was no appointment, it was a nomination from Fix A Stray. Shannan sent the letter in herself asking to be reappointed. Teresa said she received an email from Shannan on November 30th and replied back to clarify her membership and she sent a copy of her Humane Society membership. Teresa said you have to be a member of an animal welfare organization. Jim said there is a way to solve this problem if he could talk to Chris. He said the problem the Commissioners have is in November 2021, the board of directors of the Humane Society of Perry County nominated me, James Carter, to the Perry County Animal Control board. He said that nomination was handed to the County Administrator on November 16, 2021 at the Commissioners meeting. There was no appointment notice on that agenda as was required by the animal control ordinance. Unless there was a special meeting by the first of December, because the Commissioners failed to appoint successors to the board in the time limit stated. They failed to exercise their duty per O-C-11-7 article 4 paragraph d of the ordinance. In other words, it says at least 30 days before the expiration of a member of the board, the organization shall appoint. He said they had to make that appointment before and not later. Jim commented that if Shannan was to be an appointment from the Humane Society, she is not a member today because her membership is being reviewed. Jim said he wants to talk to Chris before it gets out of hand. Gregg said you want to know why I didn't want to table the appointment; this is why. I knew it would get out of hand. There was more heated discussion. Randy said we will decide this at the next meeting when Attorney Chris Goffinet is here.

Randy made the motion to adjourn the Commissioner meeting at 9:50 a.m., seconded by Gregg. Motion carried 3-0

BOARD OF FINANCE MEETING

Treasurer Amanda Lasher emailed the Commissioners the Board of Finance document that had the current bank amounts and interest earned for the county. She said she sent them the policy also. She asked if they had any questions.

Randy asked if the board needs to reorganize. Randy made the motion to appoint Tom as the President, seconded by Gregg. Motion carried 3-0. Members of the board are the three Commissioners and the Treasurer.

Amanda informed that the interest that was earned was low because the rates were low. In 2020, the county earned \$57,000.00 and in 2021, it was \$21,025.28. She said the rates are out of the county's control. Tom asked Amanda about wanting to close the account at Hoosier Hills Credit Union. She wants to move the \$5.75 in the account to the County General fund. This account was opened because of a lease of a vehicle that was done by the county. Randy said this is a membership fee to Hoosier Hills being a credit union versus a regular bank. He said if we ever want to have bids with them on another vehicle or equipment, you would have to reopen an account again. Randy said if we keep it, then we are ready for them to bid again. Randy asked to keep the account open at Hoosier Hills and Gregg was okay with it also. Amanda said she was suggesting this to clean things up when we go on our new software. Tom commented that all the information is available to the public.

Randy motioned to adjourn the Board of Finance meeting, seconded by Gregg. Motion carried 4-0.

Teresa announced that the next regular meeting of the Board of Commissioners will be held on Monday, February 7, 2022 at 6:00 p.m.

The meeting ended in open session at 7:00 p.m.

Minutes approved this 15th day of February, 2022.

Thomas J Hauser
President

Randy Kleaving

Gregg Jarboe

Minutes prepared by: Pamela L. Goffinet, Perry County Auditor