

POSEY COUNTY COMMISSIONERS TUESDAY, MAY 20, 2014

The Board of Commissioners met in regular session in the Commissioners' room at the Hovey House, 330 Walnut Street, in Mt. Vernon on Tuesday May 20, 2014 at 9:00 a.m. Members present: Carl A. Schmitz, Jerry R. Walden, James L. Alsop, Attorney Bill Bender and Auditor Kyle J. Haney.

Commissioner President Schmitz opened the meeting by leading the Pledge of Allegiance.

MINUTES

J. Walden made a motion to approve the minutes of the previous meeting and J. Alsop seconded the motion. Motion carried with a vote of 3-0.

CLAIMS

J. Walden made a motion to approve the claims and J. Alsop seconded the motion. Motion carried with a vote of 3-0.

CLERK'S REPORT

J. Alsop made a motion to approve the Clerk's Report and J. Walden seconded. Motion carried with a vote of 3-0.

POSEY COUNTY CLEAN-UP DAY, BRITTANY JOHNSON, POSEY COUNTY DIRECTOR, SOUTHWEST INDIANA CHAMBER

Brittany Johnson announced that on Saturday, June 21st from 8 AM to Noon, her organization will be hosting a Posey County Clean-Up Day. She stated that they are looking for sponsors from businesses and non-profits. Sponsoring participants will receive \$500 donations to the charity of their choice. Mrs. Johnson said to forward questions and interests to her office.

ORDINANCE FOR REZONING OF PROPERTY: 2591 JUANITA AVENUE, WADESVILLE, MINDY BOURNE, AREA PLAN DIRECTOR

Mindy Bourne, Area Plan Director presented a petition for the property located at 2591 Juanita Avenue in Wadesville to be rezoned from R-1 Zoning District to M-1 Zoning District. The owner of the property has intentions of constructing an addition onto the current building for the benefit of his business. The Planning Commission held a hearing on May 8th in regard to petition and remonstrators were present. The remonstrators expressed concern about damage to the roads from tractor trailer traffic and that the area that the property is located in is a residential area. The Planning Commission denied the petition to rezone. Scott Pate, the property owner, addressed the concerns and offered alternative solutions. Mr. Pate stated his hours of operation are 6 AM to 8 PM. John Hostettler, resident at 8419 Rose Lane in Wadesville, spoke against the petition stating that adding more capacity to the business will increase the commercial traffic flow of tractor trailers. He stated that his concern is damage to the infrastructure and roadways as a result of the increased tractor trailer traffic. Paul Exline, also a resident, spoke against the petition. He stated that the residents in the community pay to maintain the roads and that the road beds are unable to handle the increase in tractor trailer deliveries should the business expand. Bobbi Roberson, resident at 2589 Juanita Avenue, spoke in favor of the petition. She stated that road damage was evident in other areas of the road way where tractor trailers do not travel. J. Alsop made a motion to table the decision until June 3rd meeting so that more research can be done and J. Walden seconded. Motion carried with a vote of 3-0.

PROGRESS UPDATE FOR PERSONAL PROPERTY JUDGEMENTS,
JUSTIN WHITE, TREASURER

Justin White, Treasurer, reported that American Financial Credit Services is pursuing collection on eight hundred and two accounts of personal property judgments. They have collected about \$36,609.87 which is 7.7% of their goal of \$469,998.79 within one month. Mr. White stated that they expect to collect additional monies.

DEACONESS CONCERN'S EMPLOYEE ASSISTANCE PROGRAM
AGREEMENT

Keely Winiger requested the Commissioners to sign the agreement with Deaconess Concern's Employee Assistance Program. The program was discussed and approved at a prior meeting.

INNKEEPER'S TAX ORDINANCE

Attorney Bill Bender presented the Commissioners with a draft for the Ordinance for Posey County Innkeeper's Tax. The Commissioners established that the Conventions and Visitors Commission will contain seven members; two appointed by the Mayor, one appointment carrying a three year term and the second appointment carrying a two year term; two appointed by the New Harmony Town Council, one appointment carrying a three year term and the second appointment carrying a two year term; one appointed by the Posey County Commissioners, carrying a three year term; one appointed by Posey County Council, carrying a three year term; and one appointed by Poseyville Town Council, carrying a two year term. It was established that the tax will be implemented beginning July 1, 2014 and that the Conventions and Visitors Commission terms will begin January 1, 2015. It was stated that the appointees are to be in place as of November 2014. David Flanders of Cooks on Brewery in New Harmony was present and expressed his opposition to the tax. Jim Spann, resident and business owner in New Harmony was present and expressed that he was in favor of the tax. J. Alsop made the motion to set the terms and designations of appointees in place as well as the begin dates for the implementation of the tax and the establishment of the Conventions and Visitors Commission and J. Walden seconded. Motion carried with a vote of 3-0. Attorney Bill Bender stated that the Ordinance will be prepared, as the Commissioners have passed it, for the next meeting.

PROPOSAL TO PURCHASE THE ECONOLIGHT FOR THE COLISSEUM AND
COURTHOUSE ELEVATORS, KEELY WINIGER, EXECUTIVE ASSISTANT

Keely Winiger presented the proposal to purchase Econolight. The technology is designed to conserve the use of energy by terminating the lighting in an area when that area is not in use, such as a vacant elevator. The proposal is to use Econolight systems in the elevators for the Coliseum and Courthouse and it is expected that it will save the County money by conserving energy use. J. Alsop made motion to approve and J. Walden seconded. Motion carried with a vote of 3-0. It is noted that John Hoehn, Building Maintenance, provided the idea and he is recognized for his innovativeness.

ROAD REPAIRS AGREEMENT FOR MATZ ROAD AND CONTINENTAL
CAMP ROAD

The Road Repairs Agreement for Matz Road and Continental Camp Road has been finalized between the County and the oil companies involved. J. Walden made a motion to approve and sign the document and J. Alsop seconded. Motion carried with a vote of 3-0. It is stated that there is no warranty for the work in the agreement and that it is expected that the County will ensure the repairs are done efficiently. It is also stated that the agreement applies to repairs for the damages that exist currently. President Schmitz stated that it was necessary to secure a Road Ordinance and Bonding for the future in expectance that the companies will use the road ways for some time and continue to contribute damage to the roads.

**HIGHWAY DEPARTMENT UPDATE, STEVE SCHENK, HIGHWAY
SUPERINTENDENT**

Steve Schenk, Highway Superintendent, reported that the application for the Distressed Road Fund has been approved and requested that the Commissioners approve and sign the contract. The funds will be used for the roads that were on the list. J. Alsop made a motion to sign the Distressed Road Fund contract and J. Walden seconded. Motion carried with a vote 3-0. Mr. Schenk reported that the chip and seal recycling had begun and the Highway Department had completed about 15 miles and will continue to work weather permitting. It was stated that there had been no recent complaints regarding Matz and Continental Camp Road.

DEPARTMENTAL UPDATES

Sheriff's Department reported on the status of the generator and that he was able to negotiate a lesser cost.

Auditor Kyle J. Haney reported that he spoke with Charles Malinowski of Malcon. Mr. Malinowski provided an estimated figure of \$89,924.13 for 2013 Ambulance Reimbursements.

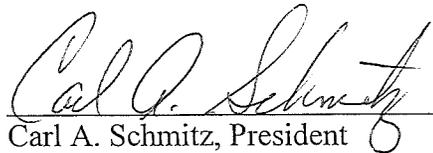
Treasurer Justin White stated that the date for tax sale is set for September 15th.

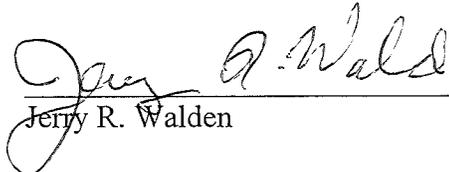
David Whitten, Chair of the County Election Board, stated that the Primary votes had been certified at the Election Board Meeting held on Friday, May 16th, 2014. He reported to the Commissioners that the new process of combining the voting precincts with fewer workers was successful and saved money. He stated that he would like to encourage more people to vote as the voter turn-out for the Primary was about 8%. Mr. Whitten informed of the intentions to combine more voting precincts for the Fall Election. The new voting areas will be advertised when they are established.

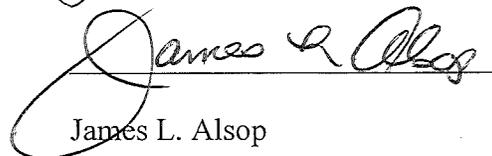
Commissioner Alsop expressed gratitude for the EMS Department as it was National Emergency Medical Services Week.

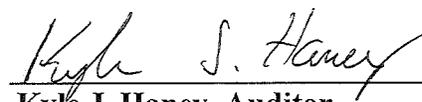
Commissioner Walden stated that he attended a meeting at Berry Plastics and that the Bill for an Alternative Diploma for High School, that Rep. Wendy McNamara had proposed, did not pass due to lack of support.

No other business was discussed, and the meeting was adjourned until Tuesday, June 3, 2014.


Carl A. Schmitz, President


Jerry R. Walden


James L. Alsop

ATTEST: 
Kyle J. Haney, Auditor