

**MEETING MINUTES  
BOARD OF COMMISSIONERS  
2524 CORYDON PIKE SUITE 104  
NEW ALBANY IN 47150**

August 20, 2019

Commissioner President, Billy Stewart, opened the meeting and led the Pledge of allegiance

Roll Call: Present-Billy Stewart, John Schellenberger, Shawn Carruthers

Also Present: Rick Fox, Attorney; James Sinks, Assessor; Dale Bagshaw, Council Member

**Old Business:**

**1. Request for Re-zoning – US 150 and Navilleton Road**

Justin Tackett, Director of Bldg. and Development Services, this is a continuation from the tabled item from last month, pending further review. Justin stated he provided an ordinance which summarizes the request and Mr. Striegel is here to answer any questions you may have.

Billy ask at this time if anyone from the public would like to speak for or against the rezoning. No one spoke

**Motion to approve Ordinance 2019-21 with unanimous consent for rezoning 2006-6 zoning map. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

**2. Pilot Club of New Albany-Connie Chenault**

- a. Lease Agreement-Rick Fox has reviewed the lease agreement and he had one addition to add to the lease. Tenant is to add Floyd County, Indiana as an additional insured on its liability insurance policy and provide the certificate to the landlord, which is the Commissioners.

**Motion to approve lease with the additional clause included in the lease. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

**New Business:**

**1. Presentation of Proclamation to Bettye Dunham**

Billy stated that Bettye has been a public servant for many years. The Board of Commissioners and the citizens of Floyd County would like to recognize all the contributions she has made to Floyd County and its citizens.

Billy then presented the Proclamation to Bettye and it was read by Shawn Carruthers. Bettye thanked the Commissioners for all their support for all the years she has served.

At this time pictures were taken with Bettye and the Commissioners.

## **2. Appointment of Ann Carruthers for the 2020 Census Support**

Billy stated the census is setting up committees around the country to help get the word out about the census because it is very important every citizen is counted. We need someone to represent our county. Billy recommended Ann Carruthers. At this time Shawn disclosed that Ann is his wife and he will abstain from voting.

**Motion to approve Ann Carruthers as the Floyd County representative for the Census count. Moved by John Schellenberger; seconded by Billy Stewart. Motion passed. Shawn Carruthers abstained.**

## **3. Floyd County Attorney-Rick Fox**

- a. FCO 2019-20 authorizing the Sale of Real Estate to an Abutting Landowner-Silver Crest Subdivision off Two Mile Ln. County took possession of the land in 1940.

**Motion to approve Ordinance 2019-20 with unanimous consent authorizing the sale of real estate. Moved John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

- b. Clark-Floyd County Landfill Change Request-two documents that were prepared by IDEM. We are in litigation in regards to the landfill but they are also providing oversight in regards to closure of certain sections. There is a portion of the landfill that has been built out and the engineers lay out, as well as the Indiana administrative code, has everything that needs to be done when you're going through closure procedures for the landfill that's been built out which includes putting the dirt down and the grass and all the other things that you do in regards to closure procedures. The engineers have laid out all of that process and that's in the two documents. Rick is asking the Commissioners to approve as a permittee those documents and Clark Co will be doing the same as well as the operator as permittee's in regards to the closure process.

**Motion to approve documents. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously**

Rick will prepare a resolution and ask for a motion for Billy to sign outside the meeting.

**Motion to allow Billy Stewart to sign the resolution outside the meeting. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

**4. Floyd County Director of Operations-Don Lopp**

- a. Villas of Floyds Knobs – Development Agreement-amendment to vacate lots 29-52 on section 3. They've also brought in their cash surety for section 2.

**Motion to approve amendment to the development agreement for Villas of Floyds Knobs. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

- b. Request for use of ROW – Scott Adams Payne Koehler Road-Bridlewood Development, it is in the two mile fringe so the only items that the county has is use of right of way on Payne Koehler Rd for the extension of sanitary sewer easement and county right of way. The section that the city of New Albany is also going to be doing renovations to that we took out of our project for paving and the second item their asking is a change in Chapel Lane in terms of a section of Chapel Ln that is towards the interstate and they're asking to realign that road. There are 3 houses behind that road. This has been reviewed by Mr. Gibson and also Mr. Horacio. From an engineering and planning stand point there are no issues.

**Motion to approve right of way for Scott Adams on Payne Koehler Rd. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

Scott Adams ask if Mr. Gibson could write a letter stating their approval of the use of the intersection. Commissioners were fine with it.

- c. Extension Letter – Charlestown Road Trail Project-asking for an extension until December 1, 2019. There is no cost just an extension of the contract. John ask if this is the trail past the ball park; Don stated it is the Charlestown Rd shared trail that runs from County Line Rd to Kevin Hammersmith Park. Don stated they are just now in preliminary engineering, going through right of way acquisition, so part of that is historic because we are using federal funds, there is historic documentation that has to be made. There is a historic home and

farmhouse so we have to go through that environmental and historic process. Our contract ended in 2018 and we are extending that through 2019.

**Motion to approve extension letter for the Charlestown Rd Trail Project. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

- d. Award of Phase 1 – Innovation Park-at your last meeting you took under consideration the Innovation Park water and sewer and road as Phase 1 of the Innovation Park; the low bid was from Mac Construction \$3,535,000.00. It has been reviewed by the engineer and the contract has been reviewed by Rick Fox and don't believe there is any issue from the contract side so at this time Don is asking the Commissioners to award the bid to Mac Construction for \$3,535,000.00 for Phase 1 of Innovation Park.

**Motion to approve Mac Construction bid of \$3,535,000.00. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

John stated he wanted to make sure that there are clauses in the contract for not meeting certain deadlines. Don stated there is a liquidated damages clause in the contract

- e. Innovation Park Update- September 17<sup>th</sup> is the ground breaking at the Innovation Park. There will be information and invitations going out for that.

September 10<sup>th</sup> Don and Mr. Woosley will be going to Chicago to have a poster board meeting with EDA.

- f. Bridge 9 Update-Don stated at present we are finalizing right of way in terms of getting the deeds signed by the property owners. All property owners have accepted the county's offers by the two appraisals. Bridge notification has been placed in the paper for bids and at your September 3<sup>rd</sup> meeting we will have the bids for Bridge 9.
- g. Bicentennial Events Update-Don stated he has documentation for Commissioners approval for the Eagle Scout Program. They would like to go ahead and get Commissioners approval to sign for Mr. Sanford, who is doing the Arts Garden Project at the Annex. The documentation states we have reviewed the plans for his project.

**Motion to approve. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

Don stated his project is a bee and flower pollinator for about 3 acres.

Don stated on October 19<sup>th</sup> they have scheduled the laser show as their big finale and a concert so he is requesting after Rick Fox reviews the contract and approves it that Billy Stewart can sign outside the meeting. The laser show is \$10,000.00 and letters for sponsorship have gone out and 4 have come in to sponsor at different levels.

**Motion to approve after Rick Fox reviews contract for Billy to sign outside meeting. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

Quotes for spot paving:

Banet Road-Striegel at \$10,000.00

**Motion to approve Striegel at \$10,000.00. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

Paoli Pike-Libs at \$23,880.00

**Motion to approve Libs at \$23,880.00. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

Wissman Rd & Walts Rd-C&R Construction at \$12,170.00

**Motion to approve C&R Construction at \$12,170.00. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

Annex-Libs at \$7,800.00

**Motion to approve Libs at \$7,800.00. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

Julian and Creek Ridge take under advisement.

**Motion to approve to take under advisement. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

John ask if wedge leveling was something that could be done on Fertig Creek Rd. He has had a lot of complaints from citizens about a bad curve in that road. Don stated he would look into it and also needs to look and see where they are budget wise.

## **5. Board & Committee Reports**

**Shawn Carruthers;** horseshoe foundation meeting, talked about Hwy 11 and flooding. Sherman Minton Bridge is as well a concern they talked about. Alternative roads in and out of Horseshoe was discussed.

**John Schellenberger;** attended the EMA meeting that day at noon. Talked about different hazmat training they are signing the fire depts. up for. Also attended the RDA meeting in Clark County last Friday. Project Plan was passed, it is 274 pages, includes all 5 counties. They have identified different projects for the RDA.

**Billy Stewart;** attended a meeting with the HR Dept and met with two members of the county council to look over our 2020 budget. Also met with a representative from Honeywell, they are doing an efficiency study in the bldgs.; electrical, plumbing, heating and cooling. The report from that will be shared soon.

- Approval of the August 6, 2019 Commissioners Meeting Minutes. Tabled
- Approval of Payroll and Claims

**Motion to approve payroll and claims. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**

Billy ask if any elected officials have anything to add. No one did.

John, Shawn and Billy thanked Ms. Bettye Dunham for her years of service.

Billy ask if anyone from the public wanted to speak; Jeff Eastridge ask about the property on Two Mile Lane and Rick Fox explained the sale of the property to him and offered to get with him one on one to further explain it. Jeff stated that would be helpful and thanked Rick for the offer.

Jeff also thanked Billy for working hard on the subdivision committee. He also acknowledged Don Lopp and Justin Tackett for their hard work as well.

**Today's Meetings:**

4:30 P.M. Solid Waste

**Next Commissioners Meeting:**

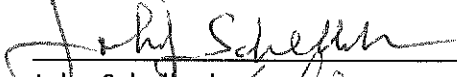
September 3, 2019 @ 6:00 p.m.

**Motion to adjourn. Moved by John Schellenberger; seconded by Shawn Carruthers. Motion passed unanimously.**



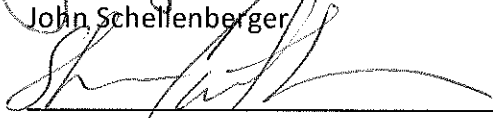
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Billy Stewart, President



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John Schellenberger



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Shawn Carruthers

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Attest: Scott Clark, Auditor