

**Meeting Minutes  
Board of Commissioners  
2524 Corydon Pike Suite 104  
New Albany IN 47150  
August 3, 2021  
6:00 P.M.**

Shawn Carruthers called the meeting to order and led the *Pledge of Allegiance*.

**Present:** President Shawn Carruthers, Vice President John Schellenberger and Tim Kamer

**Also Present:** Attorney Rick Fox, Auditor Jacqueline Wenning, Councilman Dale Bagshaw, and Assessor James Sinks

Shawn Carruthers led a moment of silence for the less fortunate in the community.

**New Business:**

1. Dan Cristiani Excavating-Chris Jackson

a. Discussion on Yenowine Lane Closure for utility installation

Chris Jackson requested road closures for Yenowine Lane and Tunnel Hill area for utility installation for a new development. The road would be flagged on August 10<sup>th</sup> and 11<sup>th</sup> down to one lane. The road would be closed on August 12<sup>th</sup> and 13<sup>th</sup> from 9:00am to 2:30pm.

**Motion to approve for Dan Cristiani for lane closure on Yenowine Lane with one lane closed with flaggers on August 10<sup>th</sup> and 11<sup>th</sup> and a hard close August 12<sup>th</sup> and 13<sup>th</sup> from 9:00am to 2:30pm. Moved by John Schellenberger. Seconded by Tim Kamer. Motion passed unanimously.**

2. Rezoning Request-Clayton Properties

Don Lopp presented a rezoning request from Clayton Properties. The Plan Commission certified a 9-0 favorable recommendation for a 21.9-acre tract located between Old Vincennes Road and Duffy Road. The current zoning is General Commercial and they requested it change to RU Residential Urban in order to construct 137 lot subdivision known as the Highlands.

Scott Adams, Vice President of Land Acquisition for Arbor Homes, gave a presentation explaining Arbor Homes and the development of The Highlands.

Chad McCormick, Civil Engineer, gave an analysis of stormwater in the development. He stated there will be 4 detention basins.

Alan Applegate of Applegate Fifer Pullium LLC stated that the rezoning is an opportunity to alleviate a drainage concern that many Floyd County residents are concerned about. He stated the State will not put in the traffic light without this development.

John Schellenberger asked if trees would be planted to keep the properties segregated. Mr. Adams stated that the trees pictured on the diagram is existing vegetation. Their goal is to preserve as much of that existing tree line as possible.

Shawn Carruthers asked if there will be sidewalks connecting to Old Vincennes. Don Lopp stated that the bank will be putting in sidewalks connecting to Old Vincennes Road and crosswalks to Highlander Point is part of the design.

PJ Moore, Georgetown Township, stated that the comment about the people want this development in this area is untrue and only benefits the developer. He stated that all this does is make us a Bedroom Community and leaves no room for commercial growth.

Tim Finch, Luther Road Resident, stated he is highly critical of the projects especially the drainage proposals. He is asking the Plan Commission and Commissioners to deny the rezoning request.

Dale Mann, Georgetown, stated a survey taken a few years ago showed the public wanted to keep our area as rural as possible. He reminded the Commissioners that they work for the citizens now not the ones coming to the development. He stated the schools can not handle all of the growth.

Melissa Frye asked Chad McCormick if the 16% increase that is expected in precipitation in the next 30 years is included in the model. Mr. McCormick stated it is included in the model.

Scott Adams stated the plan, approved by the Plan Commission, does not touch one inch of the wetlands that have been assessed and determined to exist at this site.

Don Lopp stated that this is a Major Subdivision application not a Conservation Subdivision application.

Don Lopp state there has not been any commercial interest in this property outside of road frontage.

**Motion to accept the Planning Commission recommendation for the zone change and a formal ordinance with the tendering of written commitments be signed at the next Commissioner meeting. Moved by John Schellenberger. Seconded by Tim Kamer. Motion passed unanimously.**

3. Director of Operations and Planning-Don Lopp

a. FCO 2021-13 Amendment to ARP Implementation Plan

**Motion to approve FCO 2021-13 Amendment to ARP Implementation Plan. Moved by John Schellenberger. Seconded by Tim Kamer. Motion passed unanimously.**

b. Release of Chester Cove Development Cash Surety

Don Lopp stated the amount to be released back to the developer is \$13,500.00 and all requirements have been met.

**Motion to release of Chester Cove Development Cash Surety. Moved by John Schellenberger. Seconded by Tim Kamer. Motion passed unanimously.**

c. Novaparke Update

Don Lopp stated Redevelopment Commission has approved contracts from E&B Paving to do Phase 2 and 3 which brings the main entrance to SR 64. Preconstruction and construction should start by the end of August to first of September. He had preconstruction conference for building 1 & 2 with FW Owens for the accelerator incubator space. He stated that the Redevelopment Commission and Indiana University Southeast signed a collaboration agreement to bring their faculty and staff to buildings 1 and 2 to assist in developing entrepreneurial start ups and accelerator programs.

d. Approval of Contract – ARP PE Sanitary Sewer Projects

**Motion to approve for Heritage Engineering in the amount of \$50,000.00 to provide engineering for the ARP Sanitary Sewer projects. Moved by John Schellenberger. Seconded by Tim Kamer. Motion passed unanimously.**

e. City of New Albany Fringe plat

**Motion to approve Plat 15 lot 1 and lot 2 of plat 118 plat 1519. Moved by John Schellenberger. Seconded by Tim Kamer. Motion passed unanimously.**

4. EMA Director-Kent Barrow

a. PDM Agreement-Hazard Mitigation Plan

**Motion to approve the agreement for research services for Multi Hazard Mitigation Plan. Moved by John Schellenberger. Seconded by Tim Kamer. Motion passed unanimously.**

5. County Attorney-Rick Fox

a. Warranty Deed for Floyd County Redevelopment Authority

Rick Fox stated Floyd County is deeding the dedicated infrastructure of Novaparke to the Redevelopment Authority.

**Motion to approve the Warranty Deed for Floyd County Redevelopment Authority. Moved by John Schellenberger. Seconded by Tim Kamer. Motion passed unanimously.**

b. Consent Indemnification and Hold Harmless Agreement

Rick Fox stated this agreement is with respect to an individual's pool going into the easement at 6146 Brent Drive, Floyds Knobs.

**Motion to approve the consent Indemnification and Hold Harmless Agreement. Moved by John Schellenberger. Seconded by Tim Kamer. Motion passed unanimously.**

c. Contract for Professional Property Tax Services

Rick Fox stated the Assessor, James Sinks, has tendered a contract wherein the assessor's office will be bringing onboard Brian Cusimano as the attorney giving council with regards to assessment of properties.

**Motion to approve the contract for Professional Tax Assessment Services with Brian Cusimano. Moved by Tim Kamer. Seconded by John Schellenberger. Motion passed unanimously.**

6. Floyd County Assessor-James Sinks

a. Approval of Reassessment Contract Bid

James Sinks stated the bids for Reassessment were Tyler Technologies \$ \$724,796.00 and Lexur \$681,000.00 for full service and \$620,700.00 for drive by service. He recommended going with Tyler Technologies because they have provided excellent service in the past.

**Motion to accept the contract with Tyler Technologies for a 4-year term. Moved by John Schellenberger. Seconded by Tim Kamer. Motion passed unanimously.**

7. Board & Committee Reports

John Schellenberger stated he went on a tour of the parks with Roger Jeffers, Commissioners, County Council and some of the Parks Board members on July 31. He is hopeful they can find a steady stream of revenue for the parks.

John Schellenberger will be going on a tour of Clark County Solid Waste, Grantline Road and Galena Solid Waste Facilities and Harrison County with the Solid Waste Board on August 4.

John Schellenberger stated there is an RDA meeting on August 6 at Ivy Tech. The READI projects will be discussed.

Shawn Carruthers went on the Parks' tour and commends the Director of Parks and his staff on the great Parks system.

- Let the record show the Commissioners have received the May 2021 monthly New Albany-Floyd County Public Library monthly meeting minutes.

- Approval of the July 20, 2021 Commissioners Meeting Minutes

**Motion to approve July 20, 2021 Commissioners Meeting Minutes. Moved by Tim Kamer. Seconded by John Schellenberger. Motion passed unanimously.**

- Approval of Payroll and Claims

John Schellenberger stated he noticed a lot of use of the Visa Card. He asked Jacqueline Wenning if it is being used outside of the guidelines. She stated there were no strict guidelines set up when issued. Tim Kamer asked if they have considered P cards. Ms. Wenning stated the Treasurer office set up the credit cards. Tim Kamer stated he will follow up with the Treasurer's office about different credit card programs.

**Motion to approve. Moved by John Schellenberger. Seconded by Tim Kamer. Motion passed unanimously.**

John Schellenberger thanked everyone for coming to the meeting. He stated the Health Department has pop up clinics throughout the County for COVID vaccinations.

Tim Kamer thanked everyone for coming to the meeting. He stated the Commissioners and County Council have been working together on the ARP money. Some of the ARP money is being used to expand broadband throughout the County.

Councilman, Dale Bagshaw, stated that the Parks tour was very informative. He stated that if COVID showed us anything it is the value of parks. He feels the Commissioners and County Council need to see that the Parks are properly funded.

EMA Director, Kent Barrow, stated he reached out to Harrison County to borrow a large road sign to post information about the COVID pop up clinics. The sign is located on Grantline Road.

#### Today's Meetings

4:30 p.m. Stormwater

#### Next Commissioners Meeting:

August 17, 2021-6:00 p.m.

#### Public

A citizen stated that New York has passed the Vaccine Passport. She stated the passport goes against everything our founding fathers spoke about and why they came to America to escape what was going on in England under the reign of King George. She read a statement about the right of all, including medical workers, to decline medical intervention concerning the COVID 19 vaccine. She asked each of the Commissioners to courageously stand up and defend her blessings of liberty.

A citizen asked the Commissioners to be proactive in the vaccine mandate.

A citizen stated, after attending a breakfast meeting, she is impressed with everything going on in Floyd County. She stated that experts have said that the COVID vaccine should be discontinued immediately. They stated the vaccines has made the virus more dangerous and

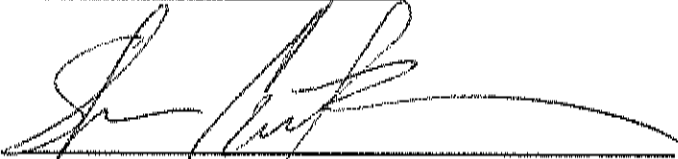
early treatment would save many lives. The push for vaccines makes billions of dollars for big pharma and has nothing to do with the health and well-being of the citizens of this country.

A citizen asked why therapeutics are not being offered for COVID.

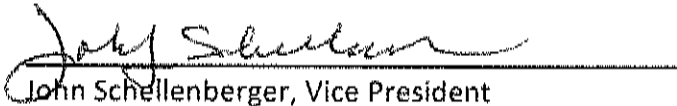
Shawn Carruthers stated they understand the passions on both sides and take all the comments into consideration. They want to inform anyone that wants the vaccine to know where they can get it.

**Motion to adjourn. Moved by John Schellenberger. Seconded by Tim Kamer. Motion passed unanimously.**

**BOARD OF COMMISSIONERS**

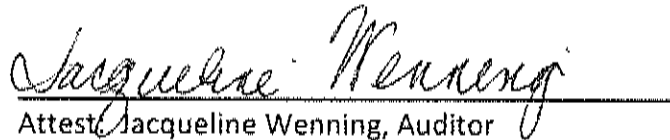


Shawn Carruthers, President



John Schellenberger, Vice President

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Tim Kamer, Commissioner



Attest, Jacqueline Wenning, Auditor