

STATE OF INDIANA)
SS)
COUNTY OF CLAY)

OCTOBER 7, 2024

The October 7, 2024 Regular Meeting of the Clay County Council was called to order by President Larry Moss at 6:00 p.m. Council members present were Larry Moss, Jason Thomas, John Nicoson, Jackie Mitchell, Pat Heffner, Jason Britton and Dave Amerman. Auditor Patricia Foxx made a record of the proceedings, to wit:

Jason Thomas led the Pledge of Allegiance followed by the opening prayer by Jason Britton.

A motion to approve the September 3, 2024, Regular Meeting minutes and September 9, 2024, Special Meeting minutes was made by Jason Britton and seconded by Dave Amerman. Motion carried 7-0.

IN THE MATTER OF ADDITIONAL APPROPRIATION

Larry Moss read the following:

COUNTY EMERGENCY APPROPRIATION ORDINANCE

Whereas, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

Sec.1. Be it ordained by the County Council of Clay County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds names and for the purposes specified, subject to the laws governing the same:

	Requested	Aye	Nay
Fund Name: <u>County General</u>			
Personal Services	\$ <u>76,634.00</u>	<u>7</u>	_____
Other Services and Charges	\$ <u>600,000.00</u>	<u>7</u>	_____
Capital Outlay	\$ <u>17,015.00</u>	<u>7</u>	_____
Fund Name: <u>County Highway</u>			
Other Services and Charges	\$ <u>42,000.00</u>	<u>7</u>	_____

Presented to the Clay County Council, read in full and adopted this 7th, day of October, 2024.

AYE

NAY

Larry Moss /s/

Jason Britton /s/

Jason Thomas /s/

Jackie Mitchell /s/

John Nicoson /s/

Pat Heffner /s/

Dave Amerman /s/

Members of the Clay County Council

ATTEST: Patricia A Foxx /s/

Patricia A Foxx, Clay County Auditor

Brison Swearingen, Sheriff, explained the request is from the overtime reimbursement from the DEA in the amount of \$8,924.46. The overtime will be for a period of time during the DEA investigation.

Motion was made to approve the \$8,924.46 for the Sheriff Overtime by Jackie Mitchell and seconded by Jason Britton. Motion carried 7-0.

Paul Sinderson, County Commissioner, explained the payroll correction for the Surveyor wages. The \$53,707.78 will correct the error.

Motion was made to approve the \$53,707.78 for payroll correction by Dave Amerman and seconded by Jason Thomas. Motion carried 7-0.

Joe Trout, Circuit Court Judge, explained the \$17,015.00 was for the replacement of the recording system that was damaged by the cyber attack.

Motion was made to approve the \$17,015.00 for the Superior Court recording system by Jason Thomas and seconded by Dave Amerman. Motion carried 7-0.

Brison Swearingen, Sheriff, stated he needed an additional of \$600,000.00 for the remainder of this year to cover the cost of meals and medical expenses.

Motion was made to approve the \$600,000.0 for the Sheriff's meals and medical expenses by John Nicoson and seconded by Jason Britton. Motion carried 7-0.

Paul explained the West Central Transportation invoice is \$42,000.00.

Motion was made to approve the \$42,000.00 for the West Central Transportation by Dave Amerman and seconded by Jackie Mitchell. Motion carried 7-0.

IN THE MATTER OF TRANSFERS

TRANSFER

WHEREAS, It has been shown that certain existing appropriations now have unobligated balances which will not be needed for the purpose for which appropriated and;

It Is Therefore Ordained by the aforesaid County Council that such unnecessary existing appropriations are now reduced and the money transferred to the necessary and proper appropriations in amounts as follows:

		Aye	Nay
HEALTH DEPARTMENT			
LOCAL PUBLIC HEALTH SERVICES			
From 1161-12710-0465 (Health Dept Inspector)			
To 1161-32300-0465 (Meeting & Travel)	\$1,500.00	<u>7</u>	_____
From 1161-12710-0465 (Health Dept Inspector)			
To 1161-26101-0465 (Equipment)	<u>\$1,300.00</u>	<u>7</u>	_____
From 1161-12710-0465 (Health Dept Inspector)			
To 1161-20203-0465 (Lead Care Supplies)	\$ 500.00	<u>7</u>	_____
From 1161-12710-0465 (Health Dept Inspector)			
To 1161-21501-0465 (Vaccine)	\$ 700.00	<u>7</u>	_____
From 1161-12710-0465 (Health Dept Inspector)			
To 1161-45032-0465 (Renovation)	\$16,000.00	<u>7</u>	_____

PRESENTED to the Clay Council, read in full and adopted this 7th day of October, 2024.

AYE	NAY
<u>Jason C Thomas /s/</u>	_____
<u>Larry Moss /s/</u>	_____
<u>Jason Britton /s/</u>	_____
<u>Jackie Mitchell /s/</u>	_____
<u>John Nicoson /s/</u>	_____
<u>Dave Amerman /s/</u>	_____
<u>Pat Heffner /s/</u>	_____
Members of the Clay County Council	

ATTEST: Patricia A Foxx /s/
 Patricia A Foxx, Clay County Auditor

Kim Shidler, Health Department, explained that she needed the approval of funds for her department. The building basement will be renovated to add office space for the environmental and emergency preparedness staff. The State had approved the changes.

Motion was made to approve \$20,000.00 for Local Public Health Services by Jason Thomas and seconded by Jackie Mitchell. Motion carried 7-0.

IN THE MATTER OF AMENDED SALARY ORDINANCE

ORDINANCE 2024-10

AMENDED SALARY ORDINANCE

An ordinance setting compensation for certain County Employees for the fiscal year 2024.

Be it ordained by the County Council of Clay County, Indiana as follows:

COUNTY GENERAL

Commissioners	
Back Pay Payroll Correction	\$53,707.78

Effective October 1st, 2024. Presented to the Clay County Council this 7th day of October, 2024.

Approved by the following aye and nay vote.

AYE
Larry Moss /s/ _____
Pat Heffner /s/ _____
Jason Britton /s/ _____
Jackie Mitchell /s/ _____
John Nicoson /s/ _____
Dave Amerman /s/ _____
Jason Britton /s/ _____
Members of the Clay County Council

NAY

ATTEST: _____ Patricia A Foxx /s/
Patricia A Foxx, Clay County Auditor

Paul presented Ordinance 202410 Amended Salary Ordinance for the payroll correction regarding the County Surveyor wages.

Motion to suspend the rules was made by Dave Amerman and seconded by Pat Heffner. Motion carried 7-0.

Motion to approve Ordinance 2024-10 was made by Jason Britton and seconded by Jason Thomas. Motion carried 7-0.

IN THE MATTER OF I70/SR 59 TIF AMENDMENT RESOLUTION 2024-10

**RESOLUTION NO. 2024- 10
Clay County Council**

**A RESOLUTION APPROVING THE
AMMENDMENT OF THE
I 70/ STATE ROAD 59 ECONOMIC DEVELOPMENT AREA,
ALLOCATION AREA**

WHEREAS, the Clay County Redevelopment Commission adopted Resolution No. 2024-06 (“Resolution”) on September 18, 2024, amending certain provisions of the I 70/ State Road 59 Economic Development Area (“EDA”) and adopting the Plan Amendment for the EDA including amendments to the Allocation Areas within the EDA and amending the Proposed Projects within the EDA; and

WHEREAS, the Clay County Council has reviewed and considered the Resolution and the Plan Amendment for the EDA;

NOW, THEREFORE, the Clay County Council RESOLVES, FINDS, AND DETERMINES:

1. That Redevelopment Commission Resolution 2024-06 amending the I 70/ State Road 59 Economic Development Area is, in all respects, confirmed and approved.

2. That the Plan Amendment for the EDA is, in all respects, confirmed and approved.

3. That the declaration amendment of the Allocation Areas and Proposed Projects in said Resolution is hereby confirmed and approved in all respects.

Passed in open session, this 7 day of October, 2024

CLAY COUNTY, INDIANA, COUNTY COUNCIL

Jackie Mitchell /s/
Jackie Mitchell

Jason Britton /s/
Jason Britton

Jason Thomas /s/
Jason Thomas

Larry Moss /s/
Larry J. Moss

John Nicoson /s/
John Nicoson

Dave Amerman /s/
Dave Amerman

Patricia (Pat) Heffner /s/
Patricia (Pat) Heffner

Lou Britton, Attorney for the Clay County Redevelopment Commission, presented Amendment Resolution 10 which will remove all the parcels from the TIF area.

Motion to approve Resolution 10 as presented was made by Dave Amerman and seconded by Jason Britton. Motion carried 7-0.

IN THE MATTER OF I70/SR 59 TIF AMENDMENT RESOLUTION 2024-11

**RESOLUTION NO. 2024- 11
Clay County Council**

**A RESOLUTION APPROVING THE
AMMENDMENT OF THE
I 70/ STATE ROAD 59 ECONOMIC DEVELOPMENT AREA,
ALLOCATION AREA**

WHEREAS, the Clay County Redevelopment Commission adopted Resolution No. 2024-07 (“Resolution”) on September 18, 2024, amending certain provisions of the I 70/ State Road 59 Economic Development Area (“EDA”) including amendments to the Allocation Areas within the EDA; and

WHEREAS, the Clay County Council has reviewed and considered the Resolution and the Plan Amendment for the EDA;

NOW, THEREFORE, the Clay County Council RESOLVES, FINDS, AND DETERMINES:

4. That Redevelopment Commission Resolution 2024-07 amending the I 70/ State Road 59 Economic Development Area is, in all respects, confirmed and approved.
5. That the Plan Amendment for the EDA is, in all respects, confirmed and approved.
6. That the declaration amendment of the Allocation Areas in said Resolution is hereby confirmed and approved in all respects.

Passed in open session, this 7 day of October, 2024

CLAY COUNTY, INDIANA, COUNTY COUNCIL

Jackie Mitchell /s/
Jackie Mitchell

Jason Britton /s/
Jason Britton

Jason Thomas /s/
Jason Thomas

Larry Moss /s/
Larry J. Moss

John Nicoson /s/
John Nicoson

Dave Amerman /s/
Dave Amerman

Patricia (Pat) Heffner /s/
Patricia (Pat) Heffner

Lou Britton, Attorney for the Clay County Redevelopment Commission, presented Amendment Resolution 11 which will add back some of the parcels from the TIF area.

Motion to approve Resolution 11 as presented was made by Dave Amerman and seconded by Jason Britton. Motion carried 7-0.

IN MATTER FOR CLAY COUNTY REDEVELOPMENT COMMISSION SPENDING PLAN

Lou explained the State is now requiring the Redevelopment Commission to have a spending plan for the upcoming year.

The County Council acknowledge they received a copy of the Clay County Redevelopment Commission Spending Plan for 2025.

IN MATTER OF COUNTY COUNCIL BRAZIL LIBRARY APPOINTMENT

The County Council appointment for the Brazil Library is Richard Frankville for a 4-year term. His term will be retroactive from July 31, 2024 to July 31, 2027.

Motion to approve the Brazil Library appointment of Richard Frankville to a 4-year term was made by Jason Thomas and seconded by Pat Heffner. Motion carried 7-0.

IN THE MATTER OF BUDGET ADOPTIONS

Motion to approve all 5 budget ordinances as presented was made by Jackie Mitchell and seconded by Dave Amerman. Motion carried 7-0.

IN THE MATTER OF PUBLIC COMMENTS

No public comments.

IN THE MATTER OF ADJOURNMENT

There being no further business, Dave Amerman made a motion to adjourn, seconded by Pat Heffner. Motion carried 7-0.

Members of the Clay County Council

Attest:

Patricia A Foxx, Clay County Auditor