

**PERRY COUNTY BOARD OF COMMISSIONERS
MINUTES – JUNE 5, 2017**

The Perry County Board of Commissioners met at 6:00 p.m. as was duly advertised. Commissioners in attendance: President Larry R James, Bill Amos and Randy Kleaving. A representative of the *Perry County News* was present. County Attorney, Chris Goffinet, and County Administrator, Teresa Kanneberg were also present for the meeting.

The meeting opened with the Pledge of Allegiance.

CLAIMS & PAYROLL

Randy made a motion to approve all claims. Bill seconded the motion, and motion carried 3-0. The commissioners signed claims dockets in the amounts of \$334,028.36 for County General; \$173,038.31 for Highway claims; \$415.00 for Election claims, and Advances of \$20,000.00, \$340.00, \$198.00, \$114,500.00, \$123,931.44, \$1,864.65, \$8,107.85 and \$7.95 for a total of \$776,431.56. In addition, the payroll docket was approved in the amount of \$131,277.82 for May 26, 2017 pay. Bill made the motion to approve the payroll, seconded by Randy. Motion carried 3-0.

MINUTES

Minutes from the meeting of May 1st were mailed to the commissioners for their review. Randy made the motion to approve the minutes as presented, seconded by Bill. Motion carried 3-0.

AGREEMENT – 2017 TAX SALE

County Auditor, Pam Goffinet, presented the commissioners with the 2017 Tax Sale Agreement with SRI, Inc. to provide services for the tax sale that will be held on August 29th. There are no changes in fees for this year. Auditor Pam Goffinet stated that she and Perry County Treasurer, Judy Pund, are very pleased with the service they received in the past from SRI and that we also use them for Commissioners Sale and Sheriff Sales. County Attorney, Chris Goffinet, had reviewed the agreement and found it to be in the proper legal order. Randy made the motion to approve the agreement with SRI, Inc. and Bill seconded the motion. Motion carried 3-0.

AFFIDAVIT FOR PAYMENT – PCDC

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 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 - \$22,194.36 to the Perry County Treasurer for Lochmueller Group, Exhibit B - \$4,025.00 to the Perry County Development Corporation for rail spur extension & cleaning trees, Exhibit C - \$3,850.00 to Perry County Development Corporation for Tell City industrial park grade & prep site and Exhibit D - \$3,450.00 to Perry County Development Corporation for Riverview West industrial park environmental mitigation site work. Randy made the motion to approve the affidavit, seconded by Bill. Motion carried 3-0.

TRANSFER – HIGHWAY DEPARTMENT

Highway Superintendent, Steve Howell, presented the Commissioners with a transfer resolution to transfer \$333,333.33 from Bituminous in the Motor Vehicle Highway fund to Local Matching Share in the 2017 Local Road/Bridge Matching Grant fund. Steve explained that this is the required 25% match from the State for one million dollars of the Community Crossings Grant for road and bridge projects. Bill made the motion to approve the transfer, seconded by Randy. Motion carried 3-0.

LETTER OF COMMITMENT – COMMUNITY CROSSINGS GRANT

Steve Howell, Highway Superintendent, presented the Commissioners with a letter of support for the Community Crossings Grant application that says Perry County has the financing in place for the required 25% local match. Randy made the motion to sign the letter, second made by Bill. Motion carried 3-0.

ON-CALL CONTRACT – CASH WAGGNER AND ASSOCIATES

Highway Superintendent Steve Howell and Tara Damin of Cash Waggnner and Associates appeared before the Commissioners with a Professional Services On-Call Contract for them to consider. This contract is set up that Cash Waggnner is to perform day-to-day engineering functions. These services will be performed on an as-requested basis beginning from the date of execution of this agreement for a period of one year. For the first service, Tara informed the Commissioners that Cash Waggnner will be assisting the Highway Department with the Community Crossings Grant application. Randy made the motion to approve the On-Call Contract, seconded by Bill. Motion carried 3-0.

ORDINANCE – ESTABLISH INMATE HOUSING FUND

County Attorney, Chris Goffinet, presented the Commissioners an ordinance establishing the Inmate Housing Fund. He explained that the Sheriff will be housing inmates from other counties with the first 10 being from Vanderburgh County. The County will receive \$35.00 per day per inmate and it will placed in this new fund for expenses of operating the Perry County Detention Center including, but not limited to, salaries, maintenance, repair and replacement of portions of the Perry County Detention Center. Also for the purchase of necessary equipment and vehicles for use by the Perry County Sheriff's office. Sheriff Alan Malone commented that he can house 10 extra inmates at this time as long as our population stays down for staffing. Bill made the motion to approve the ordinance, seconded by Randy. Motion carried 3-0. (See attachment "A" O-C-17-5)

LEASE PROPOSAL – CAN CLAY CORPORATION

Chris Goffinet, County Attorney, spoke up about a proposed lease option that Jim Lewis, employee of Can Clay, has been working on with the Commissioners to come up with. There are two main options with this lease and they are: 1. To stay open and 27 employees have a job and 2. Make progress on paying back taxes.

Chris explained that the old taxes are gone when the property went into the Commissioners name. The main issue is the tax collection. The proposed lease is set up that Can Clay Corporation will pay back the real estate taxes of \$477,012.23 and personal property taxes of \$24,841.46. They will make annual payments in the amount of \$41,833.00 starting in year 2017 until year 2028. This money will go in a separate fund if needing to clean up the facility and other expenses. Also if lease this property, they can be assessed and will pay current taxes going forward in May and November. These property tax dollars will be distributed like other dollars to the taxing units.

Chris informed the Commissioners of certain other specifics in the proposed lease such as, insurance coverage, site is to be cleaned up, and removal of certain structures.

He said that if Can Clay misses a single payment, this lease is done. The County does not want to drag this out. This will fall under the default provision.

Can Clay will pay for outside counsel, not Chris, to structure this agreement. Chris said that after all is done, 12 years, they will pay \$1000.00 and the property will go back to Can Clay Corporation with Quit Claim deeds.

Chris asked Jim Lewis if this is workable. Jim commented saying the numbers are higher but it fits. He said there is a market out there to expand the business. Larry commented saying that it is better for the County and Cannelton if this works and to keep the jobs.

A representative from Cannelton School Corporation was concerned over the breakdown of payments that Can Clay will make. Chris said the regular tax payments will go to the taxing units like always. The back taxes will go in a separate fund. Once the lease is done, it will go through the Redevelopment Commission. The Commissioners then need to decide where the money goes. Randy said that the City of Cannelton and Cannelton School need to realize that the County is taking the risk on this. He said it will be divided out after the County covers our expenses. He also said he was

ready to shut them down before this agreement came about. Bill asked Jim about contracts to make pipe. Jim said they have pipe ready to ship out. They have market in Sioux City, Iowa, Chicago and Ohio. They have seen a 10% increase in business over the last few months. Employees have dropped medical insurance to keep the place going. Bill asked about monthly payments. Jim said it is better with annual payments because some months they are slow, and that would cause them to default if they don't make the payment.

Assessor Mendy Lassaline commented saying that the personal property papers have not been filed for this year which is a reason for defaulting right off. She said it needed to be filed by June 14 and now has \$25.00 penalty added on.

Randy stated that the workers should appreciate what Jim has done. He realizes there are jobs and families to take care of.

Chris said the Commissioners need to accept the proposal and work with Can Clay to finalize the agreement or say the County is done and start legal action. Larry is in agreement to save Can Clay and so is Randy.

Randy made the motion to accept the proposed agreement, seconded by Larry. Motion carried 2-1 with Bill voting against. Chris said he will work with Ice Miller to put the agreement in proper legal form.

MISCELLANEOUS

Larry wanted to mention that the Cannelton Courthouse Annex employees and offices will be offering minimum services beginning on June 19, 2017. That is the beginning date to move offices from the Annex to the Armory Annex. The Cannelton Annex offices and Emergency Management office will be closed on June 19 & 20, 2017. The Planning & Zoning office will move the following week to the Courthouse. There will be an open house planned once all offices are moved in and settled.

It was announced that the next meeting of the Board of Commissioners is scheduled for Tuesday, June 20, 2017 at 8:00 a.m.

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

Minutes approved this 20th day of June, 2017.

Larry R James, President

Randy Kleaving

Bill Amos

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