

December 27, 2017

The Town Council of the Town of Corydon, Indiana, met in the Town Hall, 113 North Oak Street, Corydon, Indiana, on the 27th day of December, 2017 at the hour of 7:30 p.m., in regular meeting pursuant to call in accordance with the rules of the Council.

The meeting was called to order by Roger L. McGraw, who presided in Eva North's absence, and the pledge of Allegiance to the Flag was led by the Council.

On call of the roll, the members of the Council were shown to be present or absent as follows:

Present:	Absent:
Mark L. Parks	Eva North
Roger L. McGraw	
John D. Kintner	
Chris Mattingly	

Town Manager Rand Hezlitt and Town Attorney Chris Byrd attended the meeting.

John D Kintner made a motion to approve the minutes of the December 11, 2017 Council meeting and Chris Mattingly seconded the motion. The motion carried 4-0.

Planning and Zoning Board of Appeals had two appointments to be renewed for the next term. Jim Pitts' term expires 12/31/17 and Council President Eva North appointed him for another four year term beginning 12/31/17 through 12/31/21. Lester Rhoads' term did not get renewed at the end of 2016; however, he remained on the board throughout 2017. Town Attorney Chris Byrd stated since no one was appointed to fill his term during that time frame that was it acceptable for Mr. Rhoads to remain on the board during 2017 without being voted in. Eva North also appointed Mr. Rhoads to continue on the PZA board for another three years with his term to expire 12/31/20.

The resignation of Edsel Byrd of the Cemetery Board of Reagents due to health issues was brought before the council by Jim Smith and Harlan Fisher. A motion was made by Mark Parks and Chris Mattingly seconded the motion passed 4-0 to accept Mr. Byrd's resignation. Harlan Fisher, the Cemetery Board President and Jim Smith, Caretaker of the Cemetery were present at the meeting and asked for Betty Magner to replace Mr. Byrd as a board member. Blake Cromwell of the audience questioned if the person to replace Mr. Byrd was required to live in the Town limits since he was not allowed to be on the board when he expressed interest in doing so. Mr. Fisher stated either the person was to live in the Town limits or own graves in the Cemetery. Mr. McGraw and Mr. Kintner both agreed this question had come before the board in the past and understood that owning graves were a qualification for being on the Cemetery board. Chris Byrd stated this needed to be reviewed more carefully but could vote to appoint Ms. Magner, pending the correct rule of living in the Town or owning graves in the Cemetery. Mark Parks made the motion with John Kintner seconding for Ms. Magner to be on the Cemetery Board of Reagents pending verification for eligibility. Motion passed 4-0.

A motion was made by Mark Parks to reappoint John D. Kintner to the Regional Sewer District board with Chris Mattingly seconding. Mr. Kintner abstained from voting and the motion passed 3-0.

Approval for two employees of the WWTP to carry over vacation days was brought before the board. Mr. Hezlitt stated due to shortage of employees and new hires that those two employees worked to cover the shifts, while the new hires were being trained. Mr. Kintner requested that the employees be able to take their vacation time during 2018 or be compensated. Mr. Hezlitt stated he would make sure this happened. The carryover for Larry Fessel is 17 days and for John Deatruck of 7 ½ days of vacation time. Chris Mattingly made a motion approve the request and John Kintner seconded the motion and it carried 4-0.

Rand Heazlitt asked for the board's approval to allow him to have signatory authority on checks in the emergency absence of the Clerk-Treasurer, Treggie King. Ms. King stated if something should ever happen that might prohibit her from signing checks, that someone needs the authority to perform that duty. Mr. Fred Cammack, former Town President, was able to do this during his tenure and Ms. King sought this provision in case of an emergency or a long term absence. Chris Mattingly made a motion to allow Mr. Heazlitt to have signature authority in case of an emergency. Mark Parks seconded and the motion passed 4-0.

Mr. Heazlitt also requested direction from the Council on what level of contracting authority for purchases /document signatures or routine decision making they wish him to have if the board was not available or in between Town Board meetings. He stated there would be times when emergencies arise that will require immediate action to be taken, contractual documents that would require a signature, or bids and quotes to acquire. Chris Byrd recommended Mr. Heazlitt get a proposal together of things he would want the board to review and determine the scope of capacity the Council would like Mr. Heazlitt to handle. Chris Mattingly stated he would prefer to see in writing what Mr. Heazlitt is asking for and then have the board decide what to pick for contracting authority. Mr. Heazlitt told the board he would suggest a proposal and provide it to the board members to review.

Charles Kelly of 145 Williams Street came before the board to ask that a tree be removed in the alley beside his house. It has been hollow and dead for a few years, and he asked one other time for it to be removed. Mr. Kelly also stated the Sewer Maintenance crew has to jet the sewer lines out occasionally to clear the lines. Mr. Kintner stated he and the Street Supervisor Kenny Blum examined the tree two years ago and noticed it was hollow at that time. Mr. Blum once again looked at the tree and noticed it had utility lines in the branches and was not comfortable cutting the tree down. The board asked Rand Heazlitt to get in contact with the utility companies to ask if they would cut the tree down. If not, then get quotes from tree removal companies to have the tree removed. The Town would be willing to remove the brush if the utility companies would remove the tree.

Motion to approve a bond for Hardin Ellis 11/20/2017 to 11/20/2018 was made by Mark Parks and seconded by Chris Mattingly. The motion carried 4-0.

Ms. King asked the board to approve appropriation transfers for 2018. She stated the accountants at H. J. Umbaugh prepared an appropriation transfer resolution 2017 and needed council signature in order to pass. The motion was made by Chris Mattingly and seconded by John D. Kintner with **Appropriation Transfer Resolution 2017** passing unanimously.

FUND	FROM ACCT #	TO ACCT#	AMOUNT
101	101001412.040	101001435.091	\$70,000
205	205001443051	205001436.051	\$ 4,500
205	205001443.051	205001429.040	\$ 500
218	218001452.000	218001443.014	\$ 20,000
218	218001452.000	218001431132	\$102,000

John Kintner made a motion to approve and pay bills, Mark Parks seconded the motion carried 4-0.

Old Business: – Mr. Heazlitt discussed an employee who has been on FMLA due to an illness. He has expended his 12 week term of FMLA and at the present time he was been unable to work for 26 weeks. The Town will need to terminate his employment since the employee's doctor has not released him to return to work. If the employee is not terminated, the New Year will begin and the employee would be eligible for vacation and PTO, then FMLA would begin again. The employee does not have a doctor's appointment again until June 2018. Mr. Heazlitt stated we could not hold a position for this employee for this period of time. He said if the doctor would sign a fitness for duty letter by December 31, 2017 then he could return to work. Chris Byrd, Town Attorney, stated this employee would definitely need a fitness of duty release before returning to work. The board told Mr. Heazlitt to notify the employee of the situation. They also agreed the position could not be held for that length of time, and the position would have to be posted if the employee could not return to work. He requested that a certified letter be sent to the employee of his termination so the young man could apply for disability. He further recommended if the employee could return to work at a later date he would definitely be considered for a position at the Town if one was available. Mark Parks made a motion for Mr. Heazlitt to notify the employee to provide a fitness for duty from the doctor or be terminated. Chris Mattingly seconded and motion passed 4-0.

Other Business: - Mr. Heazlitt told the Town Council he would be out of town from January 6th through January 20th and return to work the 22nd as his contract had stated. He reported that Eva North would

stand in as Town Manager during his absence. Mr. Heazlitt asked the council for an executive session on January 22nd to discuss employee issues. The request was approved with Roger McGraw stating the executive session would begin at 6:00 pm on January 22nd.

Chris Byrd spoke on behalf of Jon Saulman of the Harrison Township Fire Department in requesting an ordinance for the fire department to provide fire service to the Town limits. The board agreed the necessity for the Town residents be provided with adequate fire protection. Mr. Byrd exhibited **Ordinance 2017-10** for board signatures. A motion was made by Mark Parks and seconded by Chris Mattingly for the ordinance to be adopted. The motion unanimously passed at 4-0.

John D. Kintner mentioned the fans and lights are continuously running at the Fred Cammack Farmer's Market. The former Director of Main Street made the changes without contacting the Council first and Mr. Kintner stated the lights do not need to be on all night and the fans should only be running when someone is at the market for an event. The board asked Mr. Heazlitt to get quotes on rewiring the lights and fans and consider an option for usage that would require less energy usage.

There being no further business to come before the Council and upon a motion make by John Kintner and seconded by Marks, the meeting adjourned.

DATED: 8 Jan 18

SIGNED: Eva North

ATTEST: J.M. King