

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY INDIANA  
JANUARY 4, 2005**

The Board of County Commissioners of Clark County, Indiana met for an organizational meeting on January 4, 2005 in room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Edward Meyer, Vicky Kent Haire and Ralph Guthrie, County Auditor Barbara Bratcher Haas, County Attorney Daniel Moore, Commissioner Secretary Linda Basham, and Deputy Auditor Theresa James.

County Auditor Barbara Bratcher Haas called the meeting to order and conducted the election for Board President.

In the first order of business, a motion was made by Commissioner Guthrie to nominate Commissioner Meyer as president. The motion was seconded by Commissioner Haire and passed 3-0.

County Auditor Barbara Bratcher Haas then turned the meeting over to Commissioner President Meyer.

A motion was made by Commissioner Haire to nominate Commissioner Guthrie as vice-president. The motion was seconded by Commissioner Meyer and passed 3-0.

Commissioner President Meyer called for a motion regarding a county attorney.

Commissioner Guthrie moved to retain **Dan Moore** as Attorney for the Commissioners. Commissioner Haire stated for the record that she would abstain from this vote and several others during this meeting because she was only given one day notice of the meeting and received the packet and agenda one half hour before the meeting. Commissioner Meyer seconded the motion which passed 2-0-1 with an abstention by Commissioner Haire. Mr. Moore stated that he would prepare a contract for the next meeting. A letter of retention was signed.

Commissioner President Meyer reported that the Board received a letter of resignation from **Vicki Conlin** from her position on the Clark County Jail Holding Corporation Board of Directors.

Commissioner President Meyer made a motion to approve and sign **Commissioner Resolution 1-2005 (A Resolution Making Appointments to Clark County Jail Holding Corporation Board of Directors and Restating Policy and Oversight of Pending Corrections Project)**. This resolution names **Veronica Conlin, Janis Caldwell, Jill Oka, Paul Garrett and Chuck Moore** as directors of the Clark County Jail Holding Corporation. The motion was seconded by Commissioner Guthrie and it passed 2-0-1 with an abstention by Commissioner Haire.

Commissioner Guthrie made a motion to approve and sign a letter to **Mr. James Gutting, Barnes and Thornburg**, confirming the retention of his firm as bond counsel to perform legal services for future aspects of the pending **Clark County Corrections Project** and to provide other services as directed to the Board of Commissioners of Clark County from time to time in 2005. The motion was seconded by Commissioner Guthrie and passed 2-0-1 with an abstention by Commissioner Haire.

Commissioner Guthrie made a motion to approve and sign letters to **Mr. Dwight Keith Coats** and **Mr. Larry Paris** terminating their jail bond appointments and expressing the Board's appreciation of Clark County Indiana government for your service as directors on the **Clark County Jail Holding Corporation Board of Directors**, all effective as of January 4, 2005. The motion was seconded by Commissioner Meyer and passed 2-0-1 with an abstention by Commissioner Haire.

Commissioner Guthrie made a motion to approve and sign letters to the new members of the **Clark County Jail Holding Corporation Board of Directors** confirming their appointments for one (1) year terms to the Clark County Jail Holding Corporation Board of Directors. The motion was seconded by Commissioner Meyer and passed 2-0-1 with an abstention by Commissioner Haire.

The meeting was recessed at 4:15 p m in order for the 2005 Organizational Meeting of the Clark County Jail Holding Corporation Board of Directors.

The meeting was reconvened at 4:23 p m.

Commissioner Guthrie made a motion to approve and sign letters to the following persons regarding the joint decisions of Board of Commissioners of Clark County **Clark County Jail Holding Corporation Board of Directors**:

**Mr. C. Gregory Read, Attorney**, appointing him as attorney for the Board of Directors of the Clark County Jail Holding Corporation.

**Mr. Larry Wilder, Attorney**, informing him that his services as attorney would no longer be needed by the Board of Directors of the Clark County jail Holding Corporation.

**Ms. Theresa Ann Law, Trust Officer, J. P. Morgan Trust Company. N.A.**, providing her office with clarification, guidance and authorization with respect to the management, building payment procedures and disclosure practices with respect to the County Bond issue funds that are currently under her control as Trustee.

**Parco Construction, Shireman Company and The Estopinal Group**, informing them of certain structural and personnel changes made with respect to the Clark County Corrections Project.

The motion was seconded by Commissioner Meyer and passed 2-0-1 with an abstention by Commissioner Haire.

Commissioner Guthrie made a motion to approve and sign **Commissioner's Resolution 2-2005 (A Resolution establishing Policy for Completion of Adult Correctional Jail Project and Establishing Jail Population Planning Committee)**. This resolution establishes the Jail Population Committee, chaired by Commissioner Meyer as follows:

- Sheriff**
- Prosecution Attorney**
- Chief Public Defender**
- Judge, Clark Superior Court No. 3 (local judicial liaison)**
- Two members of the Clark County Council**
- Mr. Joe Renck, Probation Department**
- Mr. Jim Snook, Director, Clark County Juvenile Detention Center**
- Clark County Jail Holding Corporation President**

The motion was seconded by Commissioner Guthrie and it passed 2-0-1 with an abstention by Commissioner Haire.

Commissioner Guthrie made a motion to approve and sign a letter to **Mr. David Nachand, Attorney**, expressing their desire for his services with respect to the legal services, and advice, to the **Clark County Plan Commission**, and the **Clark County Board of Zoning Appeals**. The motion was seconded by Commissioner Guthrie and it passed 2-0-1 with an abstention by Commissioner Haire. Commissioner President Meyer stated that the resignation of Attorney Lonnie Cooper created the vacancy in this position.

Commissioner Guthrie made a motion to instruct **County Attorney Dan Moore** to check on the status of the pending lawsuit between the Board of Commissioners and **S. K. Wilson Associates, Incorporated**. The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner President Meyer made a motion to approve and sign letters to **Thomas K. Downs, Ice Miller**, terminating retention as bond counsel and **Michael A. Claytor, Crowe Chizek & Company LLP**, terminating them as financial advisor to the County. The motion was seconded by Commissioner Meyer and passed 2-0-1 with an abstention by Commissioner Haire.

Commissioner Guthrie made a motion to rescind the contract with **Mr. Jay Ellis** that was signed at the last meeting of 2004. The motion was seconded by Commissioner Meyer and passed 2-0-1 with an abstention by Commissioner Haire.

The Commissioner made these appointments as follows:

<b>Commissioners Administrative Secretary</b>	<b>Linda Basham</b>	<b>3-0 vote</b>
<b>Commissioners Highway Secretary</b>	<b>Margie Jenkins</b>	<b>3-0 vote</b>
<b>Commissioners Secretary/Mailroom</b>	<b>Angela Coleman</b>	<b>3-0 vote</b>

Commissioner Guthrie made a motion to hire **Mr. Joe Olson as Insurance Agent of Record**, effective immediately and sign a letter of agreement to the same. Also, the motion was to approve and sign a letter to **Mr. Bruce Haddad, Humana Health Plan** informing them of the Board's decision. The motion was seconded by Commissioner Guthrie and it passed 2-0-1 with an abstention by Commissioner Haire. Commissioner Haire asked Mr. Olson to consider the partially self funded insurance along with the others available to the county. Commissioner President Meyer made a request that Mr. Olson consider the county employees when making his recommendation to the Board. Mr. Olson agreed that he would consider the County employees and the taxpayers when making his recommendation.

A motion was made by Commissioner Haire to table approval of minutes until the meeting of January 13, 2005.

The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Guthrie made a motion to direct that interest generated by **Highway Funds** be paid back as miscellaneous revenue, to the general fund. Commissioner Haire stated that she is in favor of working with the County Council, but she has concerns about narrow roads in the county that could be dangerous to school busses and other vehicles. The motion was seconded by Commissioner Meyer and passed 2-0-1 with an abstention by Commissioner Haire. Commissioner President Meyer stated that the Clark County Treasurer and Clark County Council will be notified.

Commissioner Guthrie made a motion to amend the above motion to direct the interest generated from the **LRS** and **MVH Highway Funds** back to the **general fund** for 2005. The motion was seconded by Commissioner Meyer and passed 2-0-1 with an abstention by Commissioner Haire.

The Commissioner made these **appointments** as follows:

<b>Animal Control Officer</b>	<b>Mike Ettl</b>	<b>3-0 vote</b>
<b>Systems Administration</b>	<b>Matt Dyer</b>	<b>3-0 vote</b>
<b>Weights and Measures Inspector</b>	<b>Henry Dorman</b>	<b>3-0 vote</b>
<b>Civil Defense Director</b>	<b>Harold Plummer</b>	<b>3-0 vote</b>
<b>Veterans Service Officer</b>	<b>Shelby Schafer</b>	<b>3-0 vote</b>
<b>County Engineer/Director</b>	<b>Hyun Lee</b>	<b>3-0 vote</b>
<b>Assistant Director</b>	<b>Bob Goforth</b>	<b>3-0 vote</b>
<b>Support Crew Supervisor</b>	<b>Leroy Graebe</b>	<b>2-0-1 Commissioner Haire abstained</b>
<b>1<sup>st</sup> District Supervisor</b>	<b>John Allen</b>	<b>3-0 vote</b>
<b>2<sup>nd</sup> District Supervisor</b>	<b>Joe Carr</b>	<b>3-0 vote</b>
<b>3<sup>rd</sup> District Supervisor</b>	<b>Ronnie Dickey</b>	<b>3-0 vote</b>
<b>Mechanic Supervisor</b>	<b>Bill Millner</b>	<b>3-0 vote</b>
<b>ADA Compliance Officer</b>	<b>Leroy Graebe</b>	<b>2-0-1 Commissioner Haire abstained</b>

Appointments continued

<b>I.O.S.H.A.</b>	<b>Leroy Graebe</b>	<b>2-0-1 Commissioner Haire abstained</b>
<b>Child Protective Team</b>	<b>Clementine Barthold</b>	<b>3-0 vote</b>
<b>Alcohol Beverage Board</b>	<b>William G Luckard</b>	<b>2-0-1 Commissioner Haire abstained</b>
<b>Board of Aviation</b>	<b>Mike Vissing</b>	<b>3-0 vote</b>
<b>Clark County Health Dept. Plan Commission</b>	<b>Dr. Charles Kemper</b>	<b>3-0 vote</b>
“	<b>Elmer Hoehn</b>	
“	<b>Sam Smith</b>	
“	<b>Charles Mills</b>	
“	<b>Reid Bailey</b>	
	<b>Charles Reisert</b>	<b>3-0 vote</b>
<b>River Hills Eco. Dev. Dist.</b>	<b>Perry Smith</b>	
	<b>Charles King</b>	<b>3-0 vote</b>
<b>Solid Waste Mg. Dist.</b>	<b>Jimmy Carter</b>	<b>3-0 vote</b>
<b>KIPDA</b>	<b>Ralph Guthrie</b>	<b>3-0 vote</b>
<b>Plan Commission</b>	<b>Edward Meyer</b>	<b>3-0 vote</b>
<b>Solid Waste Management Dist.</b>	<b>Commissioner Meyer</b>	
	<b>Commissioner Haire</b>	
	<b>Commissioner Guthrie</b>	<b>3-0 vote</b>
<b>Southern Seven Workforce</b>	<b>Commissioner Guthrie</b>	<b>3-0 vote</b>
<b>Data Board</b>	<b>Commissioner Haire</b>	<b>3-0 vote</b>
<b>Drainage Board</b>	<b>Commissioner Haire</b>	<b>2-1 no vote from Commissioner Haire</b>
<b>Emergency Management Advisory Council</b>	<b>Commissioner Meyer</b>	<b>3-0 vote</b>
<b>Region Water &amp; Sewer Dist. Bd</b>	<b>David Allen</b>	
	<b>Tom Allen</b>	<b>3-0 vote</b>

**Vicki Conlin** addressed the Board with concerns about the appointment of the **ADA Compliance Officer**. Ms. Conlin stated that there is a lot involved in the position and suggest that the Board check with Mr. Gaebe to see how much he knows about the responsibility of the position. Ms. Conlin also, stated that this is something that has to be done extremely correctly or the County could end up with a lawsuit. After discussion Commissioner Meyer made a motion to rescind the motion to appoint **Mr. Leroy Graebe** to the position of ADA Compliance Officer. Commissioner Guthrie rescinded his second to that motion.

Commissioner Meyer then made a motion to appoint **County Attorney Dan Moore** as **ADA Compliance Officer**. The motion was seconded by Commissioner Guthrie and passed 2-0-1 with an abstention by Commissioner Haire.

The appointment to the **Jeffersonville Clark County Building Authority** was tabled until the meeting of January 13, 2005.

At the recommendation of Mr. Hyun Lee, County Engineer, a motion was made by Commissioner Haire to award the **County Highway bids** as follows:

**Item # 1 Gasoline & Item #2 Diesel Fuel to Makowsky Oil Co.& Petroleum Traders Corp.**

**Item # 3 Crushed Stone, Slate & Rip Rapsto** (all bidders based on location)  
**Hanson Aggregates**  
**Liter Quarry**  
**Mulzer Crushed Stone**  
**Sellersburg Stone**

**Item # 4, 5, 6 & 7 Asplalt Emulsion to B & G Enterprises**

**Item # 8 HAC Surface and Binder Base to Gohmann Asphalt & Construction**  
**Sellersburg Stone**

**Item # 9 Cold Mix Asphalt to B & G Enterprises, Inc.**

**Item # 10 Rental of Equipment to Gohmann Asphalt & Const. Co.**

**Item # 11 Pipe Culvert Round Pipe to CPI Supply**  
**Arch Pipe to per location**

**Item # 12 Ready Mix Concrete to no bid submitted**

**Item # 13 Bridge Const/Re-const. Materials (Timber) to American Timber Bridge**  
**(Steel) to E & H Bridge Grating Inc.**

**Item # 14 Highway Signs to Hall Signs**

**Item # 15 Tires & Tubes to open market**

The motion was seconded by Commissioner Guthrie and passed 3-0.

County Engineer Hyun Lee reported the status of the collapsed building at **the Highway Garage**. At the recommendation of Mr. Lee, Commissioner Haire made a motion to accept the proposal from **Clark Nickles, Inc.** in the amount of sixteen thousand five hundred dollars (\$16,500.00) to furnish labor and equipment to remove the collapsed building to minimize damage to stored equipment. After equipment is removed the remaining structure will be demolished and disposed of off site.

The Board recognized **Sheriff Becher**.

Commissioner President Meyer stated for the record that the **2005 Commissioners Meetings** will be held every two weeks on Thursday at 4:00 p m. The next meeting will be held on January 13, 2005.

**County Attorney Dan Moore** reported that at the request of Commissioner Guthrie, he spoke to people at the Department of Corrections in regard to options related to jail construction for the County. Mr. Moore stated that the Board should get a report from **Mr. John Ryan** sometime in February. At the request of the Board Mr. Moore agreed to contact the members of the Clark County Jail Holding Corporation Board of Directors.

There being no further business to come before the Board and on a motion made by Commissioner Haire, seconded by Commissioner Guthrie, and unanimously carried, the meeting was adjourned.

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, INDIANA

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EDWARD MEYER, PRESIDENT

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VICKY KENT HAIRE, MEMBER

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RALPH GUTHRIE, MEMBER

SIGNED THIS DAY

ATTEST:

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BARBARA BRATCHER HAAS  
CLARK COUNTY AUDITOR