

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
FEBRUARY 10, 2005**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on in Room 308, City-County Building, Jeffersonville, Indiana.

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

Commissioner President Meyer read aloud an announcement regarding the implementation of INDOT Community Planning Grant. A motion was made by Commissioner Guthrie to approve and sign **Commissioner's Resolution No. 2-2005 (A Resolution Providing Procedures and Guidance for Implementation of INDOT Community Planning Grant)**. The motion was seconded by Commissioner Meyer and passed 2-0. In compliance with Commissioner's Resolution No. 2 -2005, Commissioner Guthrie made a motion to make the following appointments:

The 2005 Task Force chaired by Commissioner President Meyer

**Terrell Boyd
Gary Gilmore
Tommy Ellingsworth
David Schuler
Dale Orem and
Antia Fields**

The Standing Committee

**Ramona Bagshaw, Director of Clark County Plan Commission
Benita Pate
Vicki Conlin
Alan Conner
John Uhl
Bob Isgrigg
Joe Risinger
Charles Garmon**

Commissioner Meyer seconded the motion and it passed 2-0.

Commissioner Guthrie made a motion to assign and approve an **agreement** with **Jill Oca, CPA**, for grant compliance and monitoring. The motion was seconded by Commissioner Meyer and passed 2-0.

A motion was made by Commissioner Guthrie to approve **Ordinance 4-2005** establishing a fund for an **Urban Conservation Specialist** to comply with the **Phase 2** Stormwater Quality implementation. Commissioner Meyer seconded the motion and it passed 2-0.

Commissioner President Meyer reported that they would begin interviews on Friday February 11, 2005 for a **Clark County Planner**.

The minutes for the meeting of January 4, 2004 were sent to Mr. Moore and each of the Commissioners for their review prior to the meeting. In the first order of business a motion was made by Commissioner Guthrie to approve and sign the minutes. The motion was seconded by Commissioner Meyer and passed 2-0.

County Auditor Barbara Bratcher Haas stated that she had audited the payroll claims and found that they comply with the local salary ordinance established by the Clark County Council and the signature of proper officials is affixed stating that the hours have been worked and the amounts are due. A motion was made by Commissioner Guthrie to approve the payroll claims as submitted. The motion was seconded by Commissioner Meyer and passed 2-0.

A motion was made by Commissioner Guthrie and seconded by Commissioner Meyer to approve the attachment of a **letter** from **Joe Olson, Insurance Agent of Record**, to the County Employee paychecks. Motion passed 2-0.

Ms. Joan Kemper, appeared before the Board representing **Lifesprings**, with a request that the Board sponsor a Community Focus Grant. Ms. Kemper explained that Lifesprings will use the **Community Focus Grant** funds along with their own matching funds to build a facility for substance abuse and dual diagnosis programs. Commissioner Guthrie made a motion to approve the request and Commissioner seconded the motion. Motion passed 2-0.

Commissioner Guthrie made a motion to sign and approve a **correction and clarification statement** of Clark County Commissioner records and minutes (To Be Ratified and Made Part of Official Minutes at Next Meeting of Commissioners) (Retroactive Effective June 6, 2000). Commissioner Meyer seconded the motion and it passed 2-0. These documents are to be placed in official Commissioner Minute Records for June 6, 2000 and for February 10, 2005.

Mr. Robert Lynn appeared before the Board representing the **Building Trade Association of Indiana**, with concerns about the Boards action to sign and approve correction and clarification of Clark County Commissioner records and minutes for the meeting of June 6, 2002. Mr. Lynn pointed out that the audience included a large number of local builders. The documents to be signed by the Commissioners were clarified for Mr. Lynn, who misunderstood them at first.

Commissioner President Meyer recognized **Mr. C. Gregory Reed, Attorney** for the **Jail Holding Corporation Board of Directors, Sheriff Becher, Barbara Hollis, Jill Oca, Paul Garrett, James M. Gutting** and **Donnie Hansford** as persons with an interest in the jail construction project. **Mr. James M. Gutting, Barnes & Thornburg LLP LL**, appeared before the Board with a jail project status report. Mr. Gunning presented the Board with a list of standard terms of engagement for legal services. Sheriff Becher reported that there is one hundred fifty thousand (\$150,000.00) budgeted for equipment in the jail project. Jail construction building manager **Donnie Timberlake** was recognized in the audience. **Attorney C. Gregory Reed** gave a report on the details of the Jail Holding Corporation Board of Directors first meeting and announced the next meeting date of March 15, 2005 at 4:00 P M.

Commissioner Guthrie made a motion to approve and sign a **contract** with **C. Gregory Reed, Attorney**, for attorney services for the **Jail Holding Corporation**. The motion was seconded by Commissioner Meyer and passed 2-0.

Commissioner Meyer requested that **Sheriff Becher** bring to the next meeting, information regarding Sprung Buildings for housing of prisoners, and instructed Mr. Moore to research the requirement of permits.

In response to a request by County Commissioner President Meyer, Mr. Moore prepared a letter for the Board's approval to **Ms. Julie VonArx, Deputy Commissioner, Indiana Department of Corrections**, regarding the Clark County needs assessment. Commissioner Guthrie made a motion to approve and authorize President Meyer's signature on the letter. The motion was seconded by Commissioner Meyer and passed 2-0.

Ms. Barbara Staton appeared before the Board in regard to the **Clark County Dog Ordinance**. **Mr. Harry Wilder and Mr. Mike Ettel, Clark County Animal Control Officer**, were present at the meeting to address **Ms. Staton's** concerns. Ms. Staton stated that the ordinance is too vague. It turned out that the incident that Ms. Staton complained about happened in the city limits of Charlestown. The Commissioners assured Ms. Staton that they have complete confidence in Animal Control Officer Ettel and took Ms. Staton's concerns under advisement.

Mr. Ken Minet and Mr. Brent Roberts, Butler, Fairman & Seufert, Inc. appeared before the Board informing them that they will soon be located at an office in the Quartermaster Depot and would like to be considered for future county projects. The gentlemen also gave an update on the **INDOT I-65 Road Project** and the contract to assist Clark County in complying with GASB 24 which is the new accounting procedure required by the State Board of Accounts. The County entered into the contract with Butler, Fairman & Seufert, Inc. on August 26, 2004.

At the request of Engineer Hyun Lee, Commissioner Guthrie made a motion to approve the contract with **WTH Engineering** for products and services to develop a subdivision layer and subdivision data sheet for the subdivisions in Clark County for use by the County Engineer. The motion was seconded by Commissioner Meyer and passed 2-0.

In regard to a commercial Lease Agreement between **Jesse Ballew Enterprises** and **Clark County Emergency Management Agency**, Mr. Moore recused himself because of a possible conflict of interest and suggested that County Auditor Barbara Bratcher Haas be directed to forward the agreement to **Attorney David Nachand** for review. With approval from Auditor Haas, Commissioner Guthrie moved to approve County Auditor Barbara Bratcher Haas contacting Mr. Nachand and request that he review the lease agreement. Commissioner Meyer seconded the motion and it passed 2-0.

Commissioner Guthrie made a motion to approve and sign a **contract** with **Maximus Inc.** for professional consulting services. The motion was seconded by Commissioner Meyer and passed 2-0.

County Attorney Dan Moore presented the Commissioners with a letter from the City of Jeffersonville in regard to the **Combined Sewer Overflow (CSO) Notification Program**. Mr. Moore explained that The City of Jeffersonville is required by the **Indiana Department of Environmental Management** to implement a process to inform to public when there is an impending combined sewer overflow (CSO) discharge or when a CSO has occurred. The Commissioners instructed County Engineer Hyun to look into this and report to them.

Commissioner Guthrie made a motion to approve and sign an agreement with **Barnes & Thornburg** for bond counsel to perform legal services for future aspects of the pending **Clark County Corrections Project**. The motion was seconded by Commissioner Meyer and passed 2-0.

A motion was made by Commissioner Guthrie to instruct Mr. Moore to contact **Crowe Chizek** to get more information about the **2004 income tax analysis billing**. Commissioner Meyer seconded the motion and it passed 2-0.

At the recommendation of County Attorney Daniel Moore, Commissioner Guthrie made a motion to add the following paragraph to the minutes of each meeting:

To the extent the Board held an executive session of any type under (IC 5-14-1.5-6.1) or otherwise, the Board hereby certifies that no subject matter was discussed therein except that posted in the notice for session or meeting (IC5-14-1.5-6.1).

Commissioner Meyer seconded the motion and it passed 2-0.

The Board recognized **Sheriff Becher**.

At the January 27, 2005 meeting of the Commissioners, Mr. Joe **Siefers** appeared before the Board representing the **Polk Run Estates Neighborhood Association**. At that time Mr. Siefers made a request that the Board accept the roads in Polk Run Estates subdivision into the Clark County Highway System. County Engineer Hyun Lee stated that the County could not accept the roads in Polk Run Estates subdivision into the **Clark County Highway System** because they do not meet the requirements. Mr. Lee made a recommendation that the Board seek the advice of County Attorney Dan Moore. At this meeting the Commissioners instructed Mr. Siefers to leave his name and address for Commissioner Haire who was not present at the meeting.

County Engineer Hyun Lee reported to the Board that the bond for **Aberdeen Place Subdivision** will expire in three months. The Board instructed Mr. Lee to do the necessary research and report back.

At the recommendation of **Mike Harris, Jacobi, Toombs & Lanz**, Commissioner Guthrie made a motion to approve and authorize President Meyer's signature on a **time extension for option to purchase agreement** with **Ronald and Linda Sandbach** for fifty six (56) acres of land with an expiration date of May 1, 2005. The original purchase agreement was approved and signed by the Commissioners September 9, 2004. The motion was seconded by Commissioner Meyer and passed 2-0.

Ms. Shelly Haney, Stephen J. Christian & Associates, gave a presentation and a requested to be considered for future county projects.

Mr. Charles Day, DZL, gave an update on **Bridge # 40** on Leon Prall Road.

Mr. Rex Jones WTH Engineering, gave an update on **Bridge # 78 Memphis-Blue Lick Road**.

The Board recognized former Commissioner **Paul Garrett**.

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

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA

EDWARD MEYER, PRESIDENT

absent
VICKY KENT HAIRE, MEMBER

RALPH GUTHRIE, MEMBER

SIGNED THIS DAY

ATTEST:

BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR