REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
NOVEMBER 16, 2006

The Board of County Commissioners of Clark County, Indiana met in Regular Session on November 16, 2006 in Room 404, City-County Building, Jeffersonville, Indiana.

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

The minutes from the meeting of November 2, 2006 having been mailed to the Commissioners and Mr. Moore prior to the meeting, were presented to the Board for approval. Commissioner Haire made a motion to approve the minutes as presented. The motion was seconded by Commissioner Guthrie and passed 3-0.

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 Haire and passed 3-0.

Daniel Johnson, President Clark County Cemetery Commission, and his wife Betty presented pictures and a detailed report on their progress at the **Bottorff Cemetery** on **LaSalle Street, Speed, Indiana. Mr. Johnson** stated that they had cleaned the cemetery and the Trustee had trees cut out of the rock fence to prepare for a new fence. The fence will be provided by the Cemetery Commission. Mr. Johnson explained that the Commission does one project like this per year from the funds set aside for the **Cemetery Commission** in the Commissioner's budget. Mr. Johnson also reported that he was threatened by a neighbor who objected to the clean up and the cutting of the trees. Also, Mr. Johnson provided pictures of the rock fence which was vandalized with bright pink paint and reported that he made the reports to the Clark County Sheriff's Office. Ms. Johnson was very excited to share that she located the tombstone of **Henry Bottorff** who was one of the founders of Speed. The Commissioners assured Mr. and Mrs. Johnson that they are pleased with all their hard work and definitely want them to continue.

Joan Kemper, Lifesprings and **Major Beard, Clark County Sheriff's Office,** informed the Commissioners of a public safety grant available from the Department of Justice. Ms. Kemper explained that this grant must be applied for in collaborative grant for Lifespring and Clark County which is applied for in three phases. The three phases are planning phase for fifty thousand dollars, implementation phase for two hundred fifty thousand dollars and expansion phase for two hundred thousand dollars. Commissioner Haire made a motion to approve and sign the grant application and provide one third of the match fund. The Board appointed newly elected **Commission Mike Moore** as the contact person on this grant. **Mr. Mike Moore** will replace Commissioner Haire on the Board January 1, 2007. Ms Haire was elected **Clark County Assessor** and will also take office January 1, 2007. Ms. Kemp stated that she would be happy to do all the paperwork for this grant application. The motion was seconded by Commissioner Guthrie and passed 3-0. Kristi James agreed to work with Ms. Kemper to gather the required information.

Commissioner Haire made a motion to follow the recommendation of the Clark County Plan Commission and approve **Planning and Zoning Resolution # 21-2006 (Thieneman Development, LLC).** No persons spoke in opposition of the resolution. Commissioner Guthrie seconded the motion and it passed 3-0.

Brian Dixon, Clark County Drainage Board, presented the Commissioners with a contract with **Anna McCartney** for staff assistance to the Drainage Board, Dixon Engineering for engineering services and William Dawkins for legal services with a recommendation from the Drainage Board for approval. Commissioner Haire made a motion to take these contracts under advisement. The motion was seconded by Commissioner Guthrie and passed 3-0.

Brian Dixon reported to the Board that one contractor in **Clark County** has neglected to implement the drainage plan on the **Yorktown Subdivision. Mr. Dixon** asked the Board if they have a preference in how he handles this matter. Commissioner Haire made a motion to shut down construction in the subdivision until the drainage plan is implemented. Mr. Moore cautioned the Board about shutting down work without due process. Commissioner Haire agreed to meet with **Drainage Board Attorney William Dawkins** for him to prepare the proper documentation and report back to Mr. Moore. The motion was seconded by Commissioner Guthrie and passed 3-0.

Commissioner Guthrie made a motion to reappoint **Leslie Wright** to the **Board of Trustees of the Borden Tri-County Regional Water District**. Commissioner Haire seconded the motion and it passed 3-0.

The Board recognized **Mr. Graf** in the audience.

Gary Gilmore presented the Commissioners with a formal request to dissolve (void) the plat for the **Estates of Boulder Creek Sections One** and **Estates of Boulder Creek Sections Two** and release the bond or irrevocable letter of credit. Mr. Gilmore stated for the record that the State of Indiana is cutting the property in half in preparation of the bridge over the Ohio River which will affect the access. Upon a motion by Commissioner Haire, seconded by Commissioner Guthrie and unanimously carried, the Commissioners voted to take Mr. Gilmore's request under advisement. Mr. Gilmore complemented the County on their work paving streets on **Brookhollow Drive**. Mr. Gilmore reported that he finished paving the streets in Boulder Creek Section One as agreed.

Mr. Gilmore asked to be put on the agenda for the Commissioner's next meeting regarding the end of **mandatory recycling** in mid 2007.

At a motion by Commissioner Haire, seconded by Commissioner Guthrie and a unanimous vote, the Board moved to forward the claims from **Absolute Networking Systems** that were tabled at the meeting of November 2, 2006 to Greg Read, Attorney for the Jail Holding Corporation.

The Board took under advisement until the next meeting which will be December 1, 2006, **Sheriff Becher's** request for two hundred twenty-five thousand dollars ($225,000.00) for gasoline, jail medical and meals.

Auditor Haas reported that the State Board of Accounts wants an estimated date of completion on the **GASB 34 Report.**

At a motion by Commissioner Haire, seconded by Commissioner Guthrie and a unanimous vote, the Board approved Auditor Haas enlisting Mr. Moore's legal assistance, if needed, regarding penalties incurred in June 2005 on an electronic transfer to the **IRS (Indiana Department of Revenue).**

The Treasurer's monthly report was submitted for the record.

Commissioner Guthrie made a motion to give preliminary approval on a petition from **Schmitt-Zurschmiede Developers, LLC** to vacate a portion of a drainage and riparian corridor easement subject to the approval and recommendation of **Brian Dixon. Mr. Alan Applegate, Attorney,** represented **Schmitt-Zurschmiede Developers, LLC** at the meeting and agreed to contact Mr. Dixon and prepare the paperwork for the Commissioner's signature after a letter of approval from Mr. Dixon. The motion was seconded by Commissioner Haire and passed 3-0.

At the recommendation of County Engineer Hyun Lee and after a presentation from **Mr. Rex Jones, WTH Engineering, Incorporated,** Commissioner Haire made a motion to sign a contact with **WTH Engineering Inc.** for engineering services regarding an **inventory sign analysis program through Purdue University.** This is a program for counties to replace signs. The motion was seconded by Commissioner Guthrie and passed 3-0.

Dominic Romano and Lorrie Fleming, Bernardin, Lockmuller and Associates, made a presentation regarding bank stabilization in the upgrade of **Phase II of Perry Crossing Road**. At the recommendation of Mr. Lee, Commissioner Guthrie made a motion to enter into **Supplemental Agreement No. 2 with Bernardin, Lockmuller and Associates** to prepare all design engineering services for the upgrade of **Phase II of Perry Crossing Road** beginning at the terminus of Phase I near **Anson Branch to US 31** in Clark County. The motion was seconded by Commissioner Haire and passed 3-0.

Mr. Moore informed the Commissioners that bond money collected by the **Clark County Sheriff's Office in 2005** is missing and the persons who paid these monies are now, after completion of their case, claiming the money back. A Correction's Officer who is no longer employed by the **Sheriff's Office** is being charged in this case. The Commissioners instructed Mr. Moore to contact **Mr. Bruce Elder, Clark County Liability Insurance Agent of Record** to see if this is covered in the County's liability insurance.

Mr. Moore reported that he, Mr. Lee and **Mr. David Nachand, Plan Commission Attorney** might have a workable system regarding surety bonds and letters of credit for subdivisions as reasonably sufficient to

After review, Mr. Moore gave his approval on the contact with **WTH Engineering Inc**. for engineering services regarding an inventory sign analysis program through **Purdue University** approved earlier in this meeting subject to Mr. Moore's approval

To the extent the Board held an executive session of any type under (I C 5-14-1.5-6) or otherwise, the Board hereby certifies that no subject matter was discussed therein except that posted in the notice for session or meeting (I C 5-14-1.5-6.1).

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

BOARD OF COUNTY
COMMISSIONERS
CLARK COUNTY, INDIANA

EDWARD MEYER, PRESIDENT

VICKY KENT HAIRE, MEMBER

RALPH GUTHRIE, MEMBER

SIGNED THIS DAY

ATTEST:

BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR