

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
DECEMBER 13, 2007**

The Board of County Commissioners of Clark County, Indiana, met in Regular Session on December 13, 2007, in Room 404, Clark County Government Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Edward Meyer, Ralph Guthrie, and Commissioner Mike Moore, Attorney Dan Moore, Secretary Kristi James, and Deputy Auditor Theresa James.

Approval of Minutes

The minutes from the meeting of September 14, 2007, November 1, 2007, and November 15, 2007, having been mailed to the Commissioners and Mr. Moore prior to the meeting, were presented to the Board for approval. Commissioner Moore made a motion to approve the minutes as submitted. The motion was seconded by Commissioner Meyer and passed 3-0.

Approval of Claims

County Auditor Barbara Bratcher Haas stated in writing 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 proper official has affixed a signature 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 Moore and passed 3-0.

Sesco Group

David Vavidvalinetz and Marsha Gray, Sesco Group, attended the meeting and **Mr. Vavidvalinetz** gave a brief report on the **New Washington Garage Project**. At the request of **The Sesco Group**, Commissioner Moore made a motion to approve and sign a contract outside the meeting contingent upon Attorney Moore's approval. The motion was seconded by Commissioner Guthrie and passed 3-0.

Charlestown Pike Property

Mr. John Dattilo made a request to the Board for assistance to solve a problem with a non-maintained county road. Mr. Dattilo asked for permission to put a gate up across the road because he has received property damage and aggravation because of the road. Attorney Moore advised that the best way to solve Mr. Dattilo problems would be to follow the procedure to request that the road be vacated. Mr. Dattilo agreed to suggest that all adjoining property owners attend the December 27, 2007 meeting of the Commissioners to discuss a solution to the problems, possibly vacating the road. The matter was tabled until the meeting of December 27, 2007.

Public Comment regarding Methadone Clinic at 7511 Charlestown Pike

Mr. James Whyland spoke to the Board informing them that on Wednesday, December 12, 2007, when he arrived at his place of business on Highway 62, there were thirty-five cars in his parking lot. Mr. Whyland stated that he was not able to turn off Highway 62 into his driveway because of all the cars. Mr. Whyland stated that his machinery parts located on his property were damaged and the grass was also destroyed.

Mr. Jason Broady, 7605 Prather Station, 7605 Prather Station, Jeffersonville, In., spoke to the Commissioners with concerns for public safety on **Highway 62** in the area of the methadone clinic.

Ms. Lindsey Gilland, 207 Williams Street, Jeffersonville, In., suggested a shuttle system to get the patients to the methadone clinic to solve the traffic problems. Ms. Gilland stated that the clinic has been very helpful in her life and offered to do anything she could to try to help solve the problem.

State Representative Steve Stemler attended the meeting to lend support to the County regarding the safety issues created by the traffic from the methadone clinic. Representative Stemler reported that there is proposed legislation for the next session to address the amount of methadone clinics in Indiana. Representative Stemler stated that this clinic may be in violation of the moratorium.

Mr. Mike Adams, 5522 Buckthorne Drive, Jeffersonville, In., questioned the placement of the methadone clinic and whether a traffic study was done to justify the volume of traffic on the rural road. Mr. Adams requested that the County put some no parking signs along Charlestown Pike.

Mr. Derrick Vogt, 6509 Charlestown Pike, Jeffersonville, In., expressed his worries for the safety of his family, himself, as well as all the drivers on Charlestown Pike because he witnessed so many drivers go thru the stop sign without stopping.

School Bus Driver Deanna Morrow, 5008 Charlestown Pike, Jeffersonville, In., expressed her concerns about the safety of the children on the school busses that travel thru Charlestown Pike and Highway 62 at the same time as the traffic created by the methadone clinic. Ms. Morrow suggested bussing people to the clinic to cut down on the danger.

Mr. Tim Bohman, C.R.C. Group, Director of the Methadone Clinic, addressed the problems of the first day that the clinic was open. **Mr. Bohman** stated that the major problem causing the traffic was information technology failure because of the move and that they plan to add thirty-five (35) more parking spaces to add to the one hundred ten (110) there now. Mr. Bohman stated that they do not expect a repeat of the traffic problems on the day they opened and he welcomes the opportunity to meet with the Commissioners to discuss the traffic problem. Mr. Bohman stated that they have five hundred to eight hundred patients on a normal day in an eight hour window.

Ms. Kelly Khuri, Salem Noble Road, Jeffersonville, In., questioned whether they are dispensing medication from the methadone clinic at **Charlestown Pike**. Ms. Khuri stated that they were told at meetings prior to the opening that they would only counsel at this location and that she would hold the Commissioners accountable if they are dispensing medications at this location.

Mr. John Dattilo, 7515 Highway 62, Jeffersonville, In., reported his experience on the day that the methadone clinic opened, stated that he was awoken by tires squealing at three thirty in the morning. Mr. Dattilo stated that his lawn was damaged and a pillar at the end of his driveway was damaged. Mr. Dattilo stated that the damaged pillar will cost fifteen hundred dollars to replace.

Commissioner Moore made a motion to authorize Attorney Moore to file for an injunction on public safety grounds. The motion was seconded by Commissioner Guthrie and passed 3-0. Attorney Moore advised that type written and notarized statements from all witnesses are needed as soon as possible for a hearing that will take place. The statements require the persons name and phone number.

A motion was made by Commissioner Guthrie to approve and sign the **Clark County Comprehensive Plan**. The motion was seconded by Commissioner Moore and passed 3-0.

Commissioner Guthrie made a motion to approve and sign **Clark County Zoning Ordinance**. For clarification, Commissioner Moore stated that this zoning ordinance does no include the overlay district previously discussed for **Wood Township**. The motion was seconded by Commissioner Meyer and passed 2-1 with a no vote from Commissioner Moore.

A motion was made by Commissioner Moore to approve and sign the **Clark County Subdivision Control Ordinance**. For clarification, Commissioner Moore stated that this zoning ordinance does no include the overlay district previously discussed for **Wood Township**. The motion was seconded by Commissioner Guthrie and passed 3-0.

A motion was made by Commissioner Moore to approve and sign the **Third Amendment to the Interlocal Agreement on the River Ridge Joint Reuse Authority, FKA INAAP Reuse Authority**. The employees will be eligible for the group benefits of **City of Charlestown Employees**.

Commissioner Guthrie made a motion to deny **County Assessor Haire's** request for one of her employees to collect one week of their vacation pay and work the same week for time and one half pay. The motion was seconded by Commissioner Moore and passed 3-0.

A motion was made by Commissioner Moore and seconded by Commissioner Guthrie to allow the **Clark County Community Supervision Program** to utilize Room 300 on the third floor of the Clark County Government Building as a training space on a temporary basis. The motion passed 3-0.

A motion was made by Commissioner Guthrie to sign a **Denial of Petition to Close Crossing (Riley Drive Crossing, DOT # 535 355F located in Speed, Indiana)**. The motion was seconded by Commissioner Moore and passed 3-0.

Commissioner Moore made a motion to approve and sign the **2008 Court Appointed Special Advocate Contract for Services**. The motion was seconded by Commissioner Guthrie and passed 3-0.

At the request of **Sheriff Rodden**, Commissioner Moore made a motion to extend Commissioner's Ordinance 7-2007 (Off Road Vehicle Ordinance) and waive the fee for 2008.

Commissioner Guthrie made a motion to approve and sign the **Contract for Legal Services** with **Jim Kaiser, Attorney** for the Clark County Health Department for 2008. The motion was seconded by Commissioner Moore and passed 3-0.

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

Planning and Zoning Resolution 35-2007 (NCJ, Inc.) was called for public hearing. Commissioner Guthrie made a motion to approve and sign the resolution. The motion was seconded by Commissioner Meyer and it passed 2-1 with a no vote from Commissioner Moore.

A motion was made by Commissioner Guthrie to ratify approval of the **Management Associates, Incorporated Business Personal Property Audit Services Contract** which the Board approved and authorized signatures outside the meeting at a prior Commissioner's Meeting. The motion was seconded by Commissioner Moore and passed 3-0.

Commissioner Guthrie made a motion to approve the **2008 meeting schedule**. The motion was seconded by Commissioner Moore and passed 3-0.

At a motion by Commissioner Moore, seconded by Commissioner Meyer, and a vote of 3-0, the Board moved to authorize two no parking signs on **Charlestown Pike**, two no parking signs on **Stacy Road** and two no parking signs on **Prather Station Road**.

A motion was made by Commissioner Meyer to authorize two no parking signs at the entrance of **Falcon Crest Subdivision on Eagle Trail**. The motion was seconded by Commissioner Guthrie and passed 3-0.

A motion was made by Commissioner Moore to replace **Ed Combs** with **Mike Hallas** on the **Clark County Drainage Board**. Mr. Comb's term expired and he did not want to be re-appointed.

At the November 30, 2007 meeting The Commissioners agreed to contact appraisers **Ed Haire** and **Richard Baird** to have a 4.16 acre tract in survey 58 on **Bull Creek Road, Clark County, Indiana** appraised so that they can move forward to sell the property. Commissioner's Moore and Guthrie presented the surveys for the record.

Commissioner Moore made a motion to stop issuing **building permits** to **Mr. Speth** and **Mr. Sprigler** if that is legal. The motion died for lack of a second.

Commissioner Moore made a motion to re-instate the pay increment for assistant foremen at the **New Washington Garage**. The Commissioners agreed to discuss it with Attorney Moore.

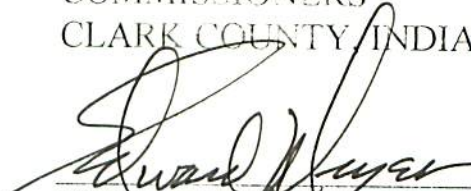
Commissioner Moore asked Commissioner Guthrie and Commissioner Meyer to plan the **Annual Christmas Party** for the Highway Workers for 2007. No vote occurred.

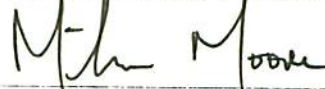
Commissioner Moore made a recommendation to remove all the members of the **Clark County Aviation Commission** and take over management. The motion died for lack of a second.

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, a motion was made by Commissioner Guthrie and seconded by Commissioner Moore to adjourn. The motion was passed 3-0.

BOARD OF CLARK COUNTY
COMMISSIONERS
CLARK COUNTY, INDIANA



EDWARD MEYER, PRESIDENT


MIKE MOORE, MEMBER


RALPH GUTHRIE, MEMBER

SIGNED THIS DAY

ATTEST:


BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR