

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA
FEBRUARY 14, 2002**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on February 14, 2002 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Raymond Parker, David Lewis and Vicky Kent Haire, Secretary/Administrative Assistant Pam Smith, County Attorney Scott Lewis, County Auditor Barbara Bratcher Haas, and Deputy Auditor Theresa James. All references to "Commissioner Lewis" refer to David Lewis. All references to "Mr. Lewis" refer to Scott Lewis. Commissioner Lewis and Mr. Lewis are not related.

A motion was made by Commissioner Lewis to approve the minutes from the previous meetings of December 20, 2001, January 3, 2002 and January 17, 2002. The motion was seconded by Commissioner Haire and passed 3-0.

County Auditor Barbara Bratcher Haas having audited the vendor claims, found them to be in accordance with Indiana Code 5-11-10-2, and submitted them to the Board for approval. A motion was made by Commissioner Lewis to approve said claims. The motion was seconded by Commissioner Haire and passed 3-0.

County Auditor Barbara Bratcher Haas having audited the payroll claims, found them to be in accordance with Indiana Code 5-11-10-2, and submitted them to the Board for approval. A motion was made by Commissioner Haire to approve said claims. The motion was seconded by Commissioner Lewis and passed 3-0.

Mr. Jack Sells appeared before the Board in regard to the bike race that the Board approved at the previous meeting on January 31, 2002 subject to proof of insurance. Mr. Sells requested approval prior to proof of insurance because the insurance company would not issue a policy until they received approval from the Board of Commission. Mr. Scott Lewis reported that he has reviewed and approves a sample policy that was provided to him by Mr. Sells. A motion was made by Commissioner Lewis to approve the race subject to the insurance. The motion was seconded by Commissioner Haire and passed 3-0.

Mr. Mike Maschmeyer appeared before the Board representing the residents of Ole Stoner Place Subdivision. Mr. Maschmeyer's first request representing **Mr. Brian & Kathleen Wright** and **Ms. Carmen D Manzo** was for the approval of the vacation of an easement for servicing a sewer lagoon between lots 211 & 212. The lagoon is no longer necessary because the subdivision is now hooked to the City of Jeffersonville sewers. Mr. Maschmeyer stated that the only other adjoining property owner is Mr. Applegate and he has signed a statement of no objection. Along with Mr. Maschmeyer several residents of **Ole Stoner Place Subdivision** spoke to the Board in regard to problems that the residents are experiencing due to new construction of property adjacent to the subdivision. The next two ordinances pertain to easements involved in this problem. A motion was made by Commissioner Lewis to approve and sign the three Ordinances vacating rights of way which are **Ordinance 3-2002, Ordinance 4-2002 and Ordinance 5-2002**. Mr. Maschmeyer stated that all the proper steps have been followed in order to approve the ordinances. Commissioner Haire seconded the motion and it passed 3-0. (See a copy of each ordinance attached.)

Mr. Mike Meyer, Clark County Health Department, appeared before the board. A motion was made by Commissioner Lewis to approve and authorize President Parker's signature on four grant applications. The grant applications are **Indiana's Sexually Transmitted Disease Fund** of up to \$31,216.00, **Indiana's Aids Prevention Fund** of up to \$25,000.00, **Indiana's Aids Prevention Fund** of up to \$25,000.00 and **Indiana's Aids Prevention Fund** of up to \$27,269.00. A motion was made by Commissioner Lewis to approve and authorize President Parker's signature on these four applications. The motion was seconded by Commissioner Haire and passed 3-0.

Mr. John Toombs and Mr. Todd Booker, Jacobi, Toombs and Lantz, presented the Board with a report on the **voter precinct project**. Mr. Toombs reported that he has provided voter registration with copies of their results and County Surveyor David Blankenbeker with copies of the maps which are GIS compatible. Mr. Toombs also reported that the work is complete except for the Towns of Borden and Utica which do not have an election this year and assured the Board that they will finish the remainder this year. Mr. Toombs asked the Board to release the ten thousand dollar limit set on the agreement between the Board of Commissioners and Jacobi, Toombs and Lanz on October 25, 2001. A motion was made by Commissioner Lewis to remove the limit for the project and declare an emergency that demanded immediate action Pursuant to I.C. 36-9-14.5-8 (c), and declared that the expenditure from the Cumulative Capital Development Fund is necessary, to protect the public welfare. The motion was seconded by Commissioner Haire and passed 3-0. A motion was then made by Commissioner Lewis to amend the previous motion not to exceed \$40,000.00. The motion was seconded by Commissioner Haire and passed 3-0.

Mr. Mike Harris, Jacobi, Toombs and Lanz, appeared before the Board in regard to the landfill methane testing at the landfill. Mr. Harris explained that the gas extraction system that has been in use must be changed because there are more stringent tests required now. A motion was made by Commissioner Haire to approve and authorize President Parker's signature on the sales proposal in which the cost is \$2049.00. The motion was seconded by Commissioner Lewis and passed 3-0. (See a copy of the document attached.)

In the next order of business the Board interviewed four agents for the position of agent of record for the County. Commissioner President Parker stated for the record that the Board is not obligated to accept bids for an agent of record. The following applicants were interviewed:

Mr. Eric Hatton, Southeastern Indiana Health Organization

Mr. Joe Olson, Olson & Associates

Mr. Edward Culpepper Cooper, Culpepper Group

Mr. Richard Zoeller, Neace Lukens

Commissioner Lewis asked that each of the applicants submit proposals to the Board. Mr. Cooper stated that this would be impossible to do. Commissioner President Parker stated that this decision cannot wait for two weeks until the next meeting so he suggested that they recess at the end of the meeting tonight and reconvene in one week to make this decision.

A motion was made by Commissioner Lewis to approve and sign a letter to the **Honorable Congressman Baron Hill** in regard to **Star Hill Road Project in Starlight, Indiana**. The motion was seconded by Commissioner Haire and passed 3-0. (See a copy of the letter attached.)

County Engineer Hyun Lee presented a copy of a proposal for signatures for future work on the Clark County Highway Garage project by **Bruce Carter Associates, LLC**. At the previous meeting of January 31, 2002, on the recommendation of County Engineer Mr. Hyun Lee, a motion was made by Commissioner Lewis and seconded by Commissioner Haire to authorize the signatures outside the meeting, subject to the letter of extension from **IDEM (Indiana Department of Environmental Management)** being provided to County Attorney Scott Lewis, to approve the expenditure of \$16,000.00 for two new wells and sampling the other twenty wells. A vote was not necessary because it was approved at the prior meeting.

A motion was made by Commissioner Lewis to approve and sign a letter to **Ms. Mary K. Enright, Route Transfer Specialist, Indiana Department of Transportation**, in regard to taking over two bridges in Clark County. The motion was seconded by Commissioner Haire and passed 3-0. (See a copy of the letter attached.)

County Engineer Hyun Lee reported to the Board that he sent out twenty-four letters to consultants requesting proposals to do business with the County. Mr. Lee asked the Board to choose a first and second choice from the list. The Board chose **Farrar, Garvey & Associates** as the first choice and **Bernardin, Lockmueller and Associates, Incorporated** as the second.

Mr. Hyun Lee, County Engineer, presented the Board with the **2001 Clark County Highway Major Operation Summary and Short/Long Range Plans** and a brief report on a timber bridge in Pekin, Indiana.

A motion was made by Commissioner Lewis to table the approval of the **Casa contract** until the next meeting which is February 28, 2002. The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Lewis stated that the County Commissioner's employee job descriptions have been prepared and will be distributed to the employees so that the Board can act upon them at the meeting of February 28, 2002.

The Treasurers monthly report was entered for the record.

A motion was made by Commissioner Haire to approve and direct County Auditor Barbara Bratcher Haas to give notice to taxpayer of a hearing on the proposed Cumulative Bride Fund. The motion was seconded by Commissioner Lewis and passed 3-0. (See copy of notice attached.)

Ms. Barbara Bratcher Haas, County Auditor, asked County Attorney Scott Lewis if he had published the **Solid Waste Amendment Ordinance**. Mr. Lewis reported that Ms. Pam Smith, Secretary/Administrative Assistant to the Board took care of that. Ms. Haas asked that she be notified when they have proof of publication so she can proceed with the necessary refunds.

Ms. Barbara Bratcher Haas, County Auditor, presented the Board with a copy of the financial report period ending 12/31/2001 for the **Department of Redevelopment** and reported that they will meet on March 27, 2002. The Board requested that Ms. Haas attend the meeting.

The Board instructed County Auditor Barbara Bratcher Haas to reinstate **Mr. Norman Clapp** to the Counties health insurance coverage. Commissioner Haire state that Mr. Clapp was instructed to pay the total premium plus one month in advance. Mr. Clapp having been terminated from the plan due to lack of payment of the required premium. For verification Commissioner Haire instructed County Auditor Barbara Haas to continue to follow Ordinance # 4-2001 in the future in this situation.

A motion was made by Commissioner Lewis to appoint **Mr. William Moore** to the **Charlestown Clark County Library Board** for a term beginning March 1, 2002 and expiring February 28, 2006 and **Mr. David Abbott** to the **Emergency Advisory Council** for a term beginning February 14, 2002 and ending February 2, 2003. The motion was seconded by Commissioner Haire and passed 3-0.

The Board of Aviation's annual report for the year 2001 was submitted for the record.

A motion was made by Commissioner Lewis and seconded by Commissioner Haire to adjourn until February 25, 2002 at 4:30 P.M. for the purpose of making a decision on the agent of record. The motion was carried 3-0.

RECONVENED MEETING
BOARD OF COUNTY COMMISSIONERS
FEBRUARY 25, 2002

The Board of County Commissioners of Clark County, Indiana reconvened on February 25, 2002 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Raymond Parker, David Lewis and Vicky Kent Haire, Secretary/Administrative Assistant Pam Smith, County Attorney Scott Lewis, County Auditor Barbara Bratcher Haas, and Deputy Auditor Theresa James. All references to "Commissioner Lewis" refer to David Lewis. All references to "Mr. Lewis" refer to Scott Lewis. Commissioner Lewis and Mr. Lewis are not related.

In the only order of business Commissioner President Parker stated for the record that the agent of record contract expires April 1, 2002 and the County health insurance contract expires June 1, 2002. Commissioner Lewis stated that for the benefit of the employees he would love for the

Board to ask all the applications to submit proposals for the Boards review because there is more time available than they previously thought. Commissioner Haire stated that out of the applicants there were two that she considered for the position which were the **Neace Group** and the **Culpepper Group**. Commissioner Haire also stated that after a lot of consideration and making some contacts she felt the Culpepper Group would do a better job for the employees. Commissioners Parker and Haire listed several names of people who recommended the Culpepper Group. Commissioner Lewis stated that he does not question these recommendations but stressed his request for competitive bidding in this case. A motion was made by Commissioner Haire to appoint **Mr. Edward Culpepper Cooper, Culpepper Group** as agent of record. The motion was seconded by Commissioner Parker. Commissioners Parker and Haire voted yes and Commissioner Lewis voted no. The motion carried 2-1.

Ms. Diane Swank, Culpepper Group, addressed the Board with a request for the Boards permission to work with County Attorney Scott Lewis to get information that they might need in regard to claims. No action was taken.

County Auditor Barbara Bratcher Haas asked the Board for direction on a request by **Jacobi, Toombs and Lanz** to be paid from the Cumulative Capital Development Fund prior to proper publication. After discussion County Attorney Scott Lewis advised the Board that they would have to wait until the next meeting.

A motion was made by Commissioner Haire and seconded by Commissioner Lewis to adjourn. The motion was carried 3-0.

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA

RAYMOND PARKER, PRESIDENT

DAVID LEWIS, MEMBER

VICKY KENT HAIRE, MEMBER

SIGNED THIS DAY

ATTEST:

BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR