

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA
JULY 3, 2002**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on July 3, 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 first order of business a motion was made by Commissioner Lewis to approve and sign the minutes of the meetings of June 6, 2002 and June 20, 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 and seconded by Commissioner Haire to approve said claims. The motion was passed 3-0.

A motion was made by Commissioner Haire to approve and authorize President Parkers signature on a **Contract** with **RQAW** for the new jail expansion. County Attorney Scott Lewis stated that he had reviewed the contract and gave his approval. The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Lewis made a motion to approve and sign **Planning and Zoning Resolution 33-2002 (Brian L. & Stella E. Smith)**. Ms. Stella Smith appeared before the Board and requested that the Board approve this resolution. At Ms. Smith's request this resolution was tabled at the meetings of May 23, 2002 and June 20, 2002. The motion was seconded by Commissioner Haire and passed 3-0.

Mr. Steven Kline was next on the agenda and **Mr. Premavera** asked the Board to move to the next person on the agenda and allow Mr. Kline to appear later in the meeting when he arrived.

A motion was made by Commissioner Haire to table the decision on the **Charlestown** two mile fringe. The motion was seconded by Commissioner Lewis and passed 3-0.

Ms. Marsha Conner, River Hills Economic Development, appeared before the Board and presented the semi-annual report on **Grant PL-01-027**.

A motion was made by Commissioner Haire to sign and authorize President Parker's signature on the semi-annual performance report for **Grant # PN-000-009**. The motion was seconded by Commissioner Lewis and passed 3-0.

Ms. Marsha Conner, River Hill Economic Development, presented the Board with the grant close out agreement and the status of federal cash and leverage statement on **Grant # PN-000-009**. County Attorney Scott Lewis stated that he had reviewed the documents and gave his approval. A motion was made by Commissioner Lewis and seconded by Commissioner Haire to approve and sign both documents. The motion was approved 3-0.

A motion was made by Commissioner Lewis to approve and sign a **notice to bidders** for the **911 call center renovation**. The motion was seconded by Commissioner Haire and passed 3-0. County Auditor Barbara Bratcher Haas agreed that her office would take care of the publication. (See a copy of the notice to bidders attached.)

Prior to the meeting Commissioner Lewis mailed a letter dated June 25, 2002, to the other two Commissioners addressing his concerns about the self-funded health insurance plan. He asked that the letter become a part of the minutes of this meeting. Commissioner President Parker asked Commissioner Lewis to read the letter into the record in order that a response by Commissioner Haire and he, dated June 27, 2002, could be read into the record and made a part of these minutes also. Commissioner Lewis read aloud from his letter. In response, Commissioner President Parker and Commissioner Haire each read letters aloud and submitted them for the record. (See a copy of all the letters-the first dated June 25, 2002, and signed by Commissioner Lewis, the second dated June 27, 2002, and signed by Commissioners Parker and Haire; and the third which is an unsigned, handwritten paper prepared by Commissioner Haire and read into the record by Commissioner Haire-attached.) Commissioner Lewis asked to reply to Commissioner Haire's remarks. He apologized to anyone who was offended by his letter but stated that he believes the Anthem 35 plan would be better for the employees and the taxpayers. He handed out several exhibits to support his belief that Anthem 35 is better than the self-funded one that has been approved (and which he contends was approved only temporarily until other quotes could be received). Anthem 35 is \$135,000.00 cheaper to the County, it saves every class of employee money, it has a better PPO network discount, it has less expensive administrative costs, and it eliminates the risks that come with being self-funded. Other governmental units around Clark County (Clarksville, Jeffersonville, and Scott County) who have, or have had, a self-funded are having to deal with unfunded claims, and the budget problems that flow from unfunded claims. Those other governments may have ways to fund unbudgeted claims, but Clark County has reached its maximum tax levy and can't fund unbudgeted items without lay-offs, service cuts or other drastic measures. Under the agent's recommended self-funded plan, the County is funding a \$1.9+million obligation with \$1.6 million, which starts the account underfunded from its inception. The approved self-funded plan does not provide reinsurance after May 31, 2003, even though there will be 60 to 90 days of claims that survive past the day the reinsurance coverage runs out. Under the worst case scenario the County will pay its full \$1.9+million obligation and an additional 3 months of "tail" claims- another potential \$400,00.00 to \$500,00.00. This practice of under-funding, argued Commissioner Lewis, repeats the mistake that got neighboring governments in financial problems. Further, Commissioner Lewis argued, it is a mistake that should never be made, and this is a particularly bad time to make it with all the budget problems the County has. Mr. Culpepper Cooper addressed the Board in response to Mr. Lewis's letter and comments. He stated that the advantage of the self-funded plan is that there is a 60 to 90 day lag from the time the insurance coverage begins until the time the first claims are paid-giving the County a needed cash flow advantage. He claimed that the County did not have available money to pay the premium payment that would have been required by the Anthem 35 plan. He stated that no one knows the comparative discounts that are gained from each PPO network, as those discounts are closely guarded secrets. He recommended that the Board of Commissioner not change from the self-funded plan that had been approved. County Auditor Barbara Bratcher Haas read aloud and submitted a letter responding to item two of the July 27th letter read aloud by Commissioner President Parker. (See a copy of Auditor Haas's letter attached.) Mr. Cooper reported that Stewart Miller has agreed to process the insurance claims. Also Mr. Cooper stated that it will not be necessary for Stewart Miller to have the County Auditor's and Treasurer's signatures as previously stated. Also the Culpepper Group will now answer all questions regarding insurance, relieving the Auditor's office of that responsibility. Mrs. Connie Kitt, interim co-leader/speaker for the alliance of County Employees (ACE) stated that ACE as a general body has previously said what they feel in regard to this issue and that she was told that Mr. Cooper stated that there will absolutely categorically not be a rate increase to the employees in January. Mr. Cooper responded by saying "That's a damn lie." He said he could not make any guarantee that the employee share of the insurance rate increase would not go up. He said he may have told some of the employees that the overall annual cost of the self-insured plan would be fixed for a twelve month period, but he never guaranteed that the employees contribution would stay the same after January 1, 2003. Mrs. Kitt also stated that ACE appreciates the Board for the meetings that they attended. Mr. Cooper stated that when he got a quote from Anthem it stated that they would not cover retirees. Commissioner Lewis stated that he received a fax from Anthem stating that they will cover retirees. A copy of the fax was given to Mr. Cooper.

The **contract** with **Stewart Miller** as the third party administrator for the partially self funded insurance for County Employees having been signed by President Parker outside the Meeting on May 31, 2002 was called for a motion by President Parker. A motion was made by Commissioner

Lewis to not ratify the contract. The motion died for lack of second. A motion was made by Commissioner Haire to ratify said contract. The motion was seconded by Commissioner Parker and passed 2-1 with a no vote from Commissioner Lewis.

Mr. Culpepper Cooper, Insurance Agent of Record, made a recommendation to the Board to add **Med Life Insurance Company** to the list of Voluntary Products that was approved by the Board on May 9, 2002. A motion was made by Commissioner Haire to add Med Life to the list. The motion was seconded by Commissioner Lewis and passed 3-0.

A motion was made by Commissioner Haire to follow the recommendation of the **Planning Commission and approve and sign Planning and Zoning Resolution 39-2002 (Steven E. Kline)** changing **606 Crone Road Memphis, Indiana** from M-1 light industry to R-1 one family. The motion was seconded by Commissioner Lewis and passed 3-0.

A motion was made by Commissioner Lewis to proclaim July 20, 2002 as “**Bob Lanham Day**”. The motion was seconded by Commissioner Haire and passed 3-0. (See a copy of proclamation attached.

County Attorney Scott Lewis presented the Board with the **SRI Services Master Agreement** for their approval. The Agreement was previously approved and signed by Barbara Bratcher Haas, County Auditor and Richard P. Jones County Treasurer. The agreement is for the annual tax sale and the fees paid to SRI are collected through the tax sale. A motion was made by Commissioner Lewis to approve and sign said contract. The motion was seconded by Commissioner Haire and passed 3-0.

In regard to an **Individual Care Management, Inc. contract** with **Stewart Miller & Co. Inc.** no action was taken. County Attorney Scott Lewis took a copy for his review.

Commissioner Haire reported that she was contacted by **Ms. Betty Ogden** about her concerns pertaining to the animal shelter.

The Clerk's monthly report for May was submitted for the record.

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 Lewis and seconded by Commissioner Haire to approve said claims. The motion was passed 3-0.

A motion was made by Commissioner Haire to move the amount in the Commissioners Budget for Health Insurance into a non-reverting fund for the health insurance. The motion was seconded by Commissioner Lewis and passed 3-0. Barbara Bratcher Haas, County Auditor stated that when the County Council has acted on the three hundred twenty thousand dollars (\$320,000.00) to fund the partially self funded insurance she will request for the Boards approval to move the funds from the Commissioner's budget into a non-reverting fund.

A motion was made by Commissioner Haire to appoint **Mr. Victor Stanckiewicz** to the Regional Water and Sewer District for a term beginning July 3, 2002 and ending December 31, 2004. Commissioner Lewis asked that Commissioner Haire amend her motion to include appointing **Mr. Phil Melton** to the Regional Water and Sewer District for a term beginning July 3, 2002 and ending December 31, 2005. Commissioner Haire did amend her motion to appoint Mr. Victor Stanckiewicz to the Regional Sewer and Water District for a term beginning July 3, 2002 and ending December 31, 2004 and Mr. Phil Melton to the Regional Water and Sewer District for a term beginning July 3, 2002 and ending December 31, 2005. Both appointments were necessary because of the resignation of **Mr. David Allen** and **Mr. Kevin Miller**. The motion was seconded by Commissioner Lewis and passed 3-0.

A motion was made by Commissioner Haire and seconded by Commissioner Lewis to table the appointment to the Redevelopment Commission until the meeting of July 18, 2002. The motion passed 3-0.

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

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