

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA
JULY 31, 2003**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on July 31, 2003 in Room 308, City-County Building, Jeffersonville, Indiana.

In the first order of business a motion was made by Commissioner Haire to table the approval of minutes until the meeting of August 14, 2003.

Present at the meeting were County Commissioners David Lewis, Raymond Parker and Vicky Kent Haire, County Auditor Barbara Bratcher Haas, County Attorney Scott Lewis, Secretary/Administrative Assistant Pam Smith, and Deputy Auditor Theresa James.

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

Mr. Jorge Lanz and Mr. Mike Harris, Jacobi, Toombs and Lanz, appeared before the Board with a presentation of a long-term financial plan for the **landfill**. Commissioner Haire made a motion to approve the solutions that were listed in the attached plan and appoint Jacobi, Toombs and Lanz as representative. The motion was seconded by Commissioner Parker and passed 3-0. (See a copy of the proposal attached.)

Mrs. Jill Saegesser appeared before the Board with the following documents for the Boards consideration:

Certificate of accessibility: Commissioner Haire made a motion to approve the certificate and authorize the President's signature. The motion was seconded by Commissioner Parker and passed 3-0. (See a copy of the certificate attached.)

Addendum to Owner and Architect Contract Agreement: Center for Lay Ministries: At the recommendation of County Attorney Scott Lewis, Commissioner Parker made a motion to approve and authorize the President's signature, outside the meeting, on the addendum between **The Estopinal Group** and the Clark County Commissioners. This motion is subject to the approval of County Attorney Scott Lewis after the recommended changes have been made. All fees are to be paid by The Center for Lay Ministries. The motion was seconded by Commissioner Lewis and passed 3-0. (See a copy of the addendum attached.)

Mrs. Saegesser also presented the Board with a construction schedule for the new **Center For Lay Ministry's building**. Also, she personally invited the members of the Board to **River Hills Economic Development's first annual dinner** and open house at 300 Spring Street, Jeffersonville, Indiana on August 28, 2003. Mrs. Saegesser also told the Board that they would receive the yearly needs assessment soon for their review.

In response to a question from Commissioner Parker, Mrs. Saegesser informed the Board that they have one open grant which is the Center For Lay Ministries and they could apply for a new one in the spring if they choose.

Mr. Rick Missi, 2802 Bolder Court, Jeffersonville, who appeared before the Board July 17, 2003, representing the residents of **Boulder Creek Subdivision** in regard to the condition of the roads **in Brook hollow Subdivision**, returned as agreed. Mr. Missi reported that a few holes have been filled but there are still more that are a problem. Commissioner Lewis suggested that Mr. Lee check to see if the developers are out of compliance on the subdivisions. A motion was made by Commissioner Parker to instruct County Attorney Scott Lewis to meet with Mr. Missi and prepare a letter to be sent to **Mr. Alan Conner** and **Mr. Gary Gilmore** asking them to make the necessary repairs to the roads. The motion was seconded by Commissioner Haire and passed 3-0.

The Board asked County Attorney Scott Lewis to contact the cities, towns and Solid Waste Districts informing them of the landfill long-term financial plan that the Board previously approved at this meeting.

Commissioner Secretary/Administrative Assistant **Pam Smith** arrived at this time.

Mr. Culpepper Cooper, Culpepper Group, appeared before the Board with insurance proposals on property and liability, boiler machine and workers compensation. Mr. Cooper recommended Arch Insurance Company for property and liability at three hundred seventy thousand, three hundred fifty six dollars (\$370,356.00), **Travelers Insurance Company** for boiler equipment coverage at two thousand five hundred forty eight dollars (\$2,548.00) and **Indiana Public Employee's Plan** for workers compensation at two hundred thirty two thousand five hundred two dollars (\$232,502.00). Mr. Cooper informed the Board that they did not have the option to pay sixty percent and the forty percent at a later time as they have done in the past because these companies do not accept partial payments. Even though the Commissioners do not have the funds to pay these insurance policies, Commissioner Parker, due to the severity and importance of the situation, made a motion to follow the recommendation of **Mr. Cooper, Insurance Agent of Record**, and approve **Arch Insurance Company** for property and liability at three hundred seventy thousand, three hundred fifty six dollars (\$370,356.00), **Travelers Insurance Company** for boiler equipment coverage at two thousand five hundred forty eight dollars (\$2,548.00) and Indiana Public Employee's Plan for workers compensation at two hundred thirty two thousand five hundred two dollars (\$232,502.00), contingent on the County Council's approval for the funds. County Auditor Barbara Bratcher Haas questioned if a contract can be awarded without an appropriation and County Attorney Scott Lewis's response was that the Commissioners could approve a contract, but that it would not be valid until there was an appropriation and funding. The motion was seconded by Commissioner Haire and passed 3-0.

County Auditor Barbara Bratcher Haas was next on the agenda and withdrew.

Mr. Cooper addressed the question of when and if County employees could get off the health insurance plan. Mr. Cooper stated that an employee could withdraw from the plan at any time if they are not pre-taxed. The Commissioners reported that they intended to give the employees an extension on the deadline to drop the health insurance based on what they were told by **Ms. Dianne Swank, Agent in Charge of Life and Health Services, Culpepper Group**. Mr. Cooper stated that this was not allowed if you are pre-taxed because of **Internal Revenue laws**. Mr. Cooper also advised the Board to make the payroll deduction in advance starting with August 1, 2003, which would give the employees a free month of insurance for **August and the payroll deduction taken in August would be for September**. Ms. Connie Kitts, Spokesperson for Ace Committee and employees **Janet Hurst** and **Suzy Wiggam** addressed question to Mr. Cooper in regard to the insurance. At the advise if Mr. Cooper, Insurance Agent of Record, a motion was made by Commissioner Parker to make the payroll deduction in advance starting with August 1, 2003, applicable September 1, 2003 and agree that Mr. Cooper would have his office prepare an attachment for the County Employee's paychecks informing them of the Board's decision. This move will help the employees by allow them the opportunity to drop the health insurance if necessary. The motion was seconded

by Commissioner Parker and passed 3-0. County Auditor Barbara Haas stated for the record that she would be agreeable to have her office put attachments on the paychecks at any time when asked by the Board.

In response to concerns about problems employees are having with claims on the new **Humana Plan**, Mr. Cooper stated that the Humana Plan is the same plan design as the previous policy. Mr. Cooper explained that when the employees were told that these policies were the same, it meant in plan design, not in contract language and Humana writes their own contract so the employees are going to have to live with it. Mr. Cooper also explained that there would be problems and he and his employees would deal with the problem on a case-by-case basis with Humana.

A motion was made by Commissioner Haire to send a proposal to **Mr. Ken Irwin** for a quote on an update on a **highway department handbook** to be paid from highway department funds. The proposal includes a cap of three thousand dollars (\$3,000.00). The Commissioners instructed County Attorney Scott Lewis to contact Mr. Irwin. The motion was seconded by Commissioner Parker and passed 3-0.

Commissioner Haire made a motion to approve and authorize Commissioner Parker's signature on a letter of **agreement** for access to **Perry Crossing Road** between **Allentown Road** and the maintenance facility be limited only to residents and persons with approved parking pass credentials for the **Wolf Challenge** 8/17/2003 and 8/18/03. The motion was seconded by Commissioner Parker and passed 2-0. Commissioner Lewis abstained from the vote because of a conflict of interest.

At the recommendation of County Engineer Hyun Lee, a motion was made by Commissioner Parker to sign and authorize payment on a claim by **Seico Engineering** for professional services rendered for new road construction and small structure over **Koetter Hollow** as per agreement to be paid from highway funds. The motion was seconded by Commissioner Haire and passed 3-0.

At the meeting of July 17, 2003, **Ms. Ruth Vorgang** and **Ms. Susan Knight**, representing the homeowners on **Utica Pike**, appeared before the Board in regard to reducing the speed limit on the part of Utica Pike that is in the County. At that time the Board voted to set the speed limit in that area at forty (40) miles per hour for cars and thirty-five (35) miles per hour for trucks and instructed County Attorney Scott Lewis to prepare the proper paperwork and bring to this meeting. As instructed, Mr. Lewis provided the paperwork and the Board signed as approved at the previous meeting.

County Attorney Scott Lewis advised the Board not to sign the **Homeland Security Grant** application because there were items that were not filled in. The Board instructed Secretary/Administrative Assistant Pam Smith to set up a meeting between the Commissioners, County Attorney Scott Lewis and **Mr. Harold Plummer, Director of Civil Defense**, to fill out the remaining portion of the application and get it submitted by the due date September 15, 2003.

Mr. Kenneth Ogden, South Central Indiana Labor Council, Captain Sam Beard and Sergeant Jack Strange appeared before the Board with a proposal for the Board to approve **Teamsters Local 783** for bargaining agent to the County Jail employees. Captain Beard asked the Commissioners for an answer if not now, then by August 14, 2003. **Mr. Todd Thomasson**, also addressed the Board representing the teamsters. Commissioner Parker asked Mr. Ogden about a reference in a letter sent to the Clark County Commissioner stating that they had come before the Commissioners at a previous date. Captain Beard stated that it was misinformation, and they went before the County Council instead of the Commissioners. Secretary/Administrative Assistant Pam Smith reported that they were on the agenda once and it was a meeting date that had to be changed, and they did not call to be put on at a later date. Mr. Ogden then apologized for anything he put in the letter that was incorrect. The Commissioners instructed Secretary/Administrative Assistant Pam Smith to put them on the agenda for the next meeting.

The Clerk's monthly report was entered for the record.

County Auditor Barbara Bratcher Haas stated that she wants to co-operate in any way doing what's best for employees and is willing to send notices at any time when asked to do so by the Board.

County Auditor Barbara Bratcher Haas reported that some employees have inquired into having the employee's portion of the **health insurance** taken out twice a month instead of once a month. Commissioner Lewis stated that he would be in favor of this, if it would help the employees. County Attorney Scott Lewis advised that they should discuss it with **Mr. Culpepper Cooper**, Insurance Agent of Record. The Board decided not to make a decision at this time.

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

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA

DAVID LEWIS, PRESIDENT

RAMOND PARKER, MEMBER

VICKY KENT HAIRE, MEMBER

SIGNED THIS DAY

ATTEST:

BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR