

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
JANUARY 29, 2004**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on January 29, 2004 in Room 308, City-County Building, Jeffersonville, Indiana.

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

The minutes for the meeting of December 30, 2003 were sent to County Attorney Scott Lewis and each of the Commissioners for their review prior to the meeting. In the first order of business a motion was made by Commissioner Lewis to approve and sign the minutes. The motion was seconded by Commissioner Parker and passed 3-0.

County Auditor Barbara Bratcher Haas, duly elected Auditor of Clark County, Indiana has audited the payroll claims in the amount of four hundred seven thousand five hundred eighty dollars (\$407,580.00) and found that they comply with the local salary ordinance established by the Clark County Council and the signature of the proper official is affixed stating that the hours have been worked. However, there is no approved appropriation against which to charge the amount and there is no approved levy from which to pay claims. Auditor Haas submitted the payroll claims for the Boards consideration excepting the following:

Superior Court No.1 Probation submitted one hundred seventy dollars and sixty one cents (\$170.61) more for **Susan Knoble** and eighty four dollars and twelve cents (\$84.12) for **Katherine Danner** than the 2004 matrix allowed in County General.

Commissioner Parker made a motion to approve the payroll as submitted by the Auditor with the exceptions. The motion was seconded by Commissioner Lewis and passed 3-0.

County Auditor Barbara Bratcher Haas, duly elected Auditor of Clark County, Indiana, has audited the vendor claims and found that a properly itemized invoice or contract is attached and that the proper official has affixed a signature stating that the services have been provided. However, there is no approved appropriation against which to charge the amount and there is no approved levy from which to pay the claims. Auditor Haas submitted the claims to the Board for their consideration. A motion was made by Commissioner Parker to approve and sign the claims as submitted. The motion was seconded by Commissioner Lewis and passed 3-0.

Charlestown Mayor Mike Hall appeared before the Board **promoting inter-government cooperation** between the **City of Charlestown** and the Commissioners. Mayor Hall presented the Board with a copy of City of Charlestown resolution No. 2004-01. (See a copy of the resolution attached.)

Mr. Dana Coots appeared before the Board with a request for the Commissioners to approve and sign a requisition for additional appropriation for funding the **Soil and Water District Board**. A motion was made by Commissioner Parker to approve and sign the form. The motion was seconded by Commissioner Lewis and passed 3-0.

Ms. Ramona Bagshaw, Clark County Planning and Zoning, appeared before the Board with a request for President Haire's signature on a letter of credit renewal from **Gilmore Construction** on the **Boulder Creek Subdivision Section # 2**. Commissioner Parker made a motion to approve and authorize President Haire to sign the renewal. The motion was seconded by Commissioner Lewis and passed 3-0.

At the recommendation of **Ms. Ramona Bagshaw, Clark County Planning and Zoning**, a motion was made by Commissioner Lewis to increase the **commercial permit fees**. The motion was seconded by Commissioner Parker and passed 3-0. (See a copy of the fee schedule attached.) Ms. Bagshaw commended the City of Charlestown for promoting interlocal government cooperation.

Ms. Melissa Woods, River Hills Economic Development District appeared before the Commissioners with an agreement between **Upton Pry, Inc., Center for Lay Ministries** and Clark County Board of Commissioners. A motion was made by Commissioner Lewis to approve and sign the agreement. The motion was seconded by Commissioner Parker and passed 3-0.

Ms. Melissa Woods, River Hills Economic Development District appeared before the Board with the following **Indiana Department of Commerce (IDOC) Community Development Block Grant (CDBG) Program Subrecipient Semi-Annual Reports** for approval:

Washington Township Water Corporation
Utica Township Volunteer Fire Department
Family Health Care Center of Clark County
Childplace

Commissioner Lewis made a motion to approve and authorize President Haire's signature on the four reports. The motion was seconded by Commissioner Parker and passed 3-0.

A motion was made by Commissioner Parker to approve and authorize President Haire's signature on the continuation of the **Domestic Violence Stop Grant**. The grant was submitted to the Board by Officer **Rachel Lee**, Clark County Sheriff's Office, who assured them that approval and signing would not result in a financial obligation to Clark County. The motion was seconded by Commissioner Lewis and passed 3-0. (See a copy of the grant attached.)

At the request of Commissioner Lewis, **Ms. Diane Swank, Culpepper Group**, presented the **Humana Insurance Company Plan Management** Agreement for administrative services and the banking arrangement for the record. Commissioner Lewis reported that the agreement was approved at a previous meeting and he signed it outside the meeting.

At the meeting of January 15, 2004, **Marsha Miller Smith (Culpepper Group)** addressed the Board in regard to employee vision insurance. The previous plan which was **ECCA (Bizer)** is dissolving and Ms. Miller presented a spread sheet of the companies that submitted a quote. The Culpepper Group recommended that the County contract with **Guardian**. At that time the Board decided to table until this meeting and vote after a recommendation from the ACE Committee. At this meeting Ms. Diane Swank appeared representing the Culpepper Group and **Mr. Ted Hobson** appeared representing ACE. The recommendation from ACE was to contract with **Avesis** and the Culpepper Group still recommended Guardian. A motion was made by Commissioner Lewis to follow the recommendation of the ACE Committee and contract with Avesis. After discussion Commissioner Lewis withdrew his motion. Commissioner Parker made a motion to table decision until the next meeting and the Commissioners asked the Auditor Barbara Bratcher Haas to attach documentation, submitted by the Culpepper Group, to the County Employees paychecks. The motion was seconded by Commissioner Lewis and passed 3-0.

Ms. Karen McCartin Foster was next on the agenda and addressed the Board in regard to a building that she and her husband own on **Utica-Sellersburg Road**. Ms. Foster explained that the building sits very close to the road and has been hit by automobiles. Her request is for permission from the County to put a guardrail on county right of way. The Commissioner instructed County Attorney Scott Lewis to research this matter and report back at the next meeting.

Ms. Wendy Tacket was next on the agenda with a request that the Board sign and approve an application for renewal of the **Amy's House Children Advocate Center Grant**. Ms. Tacket explained that the match funds come from **Clark Memorial Hospital** and the application does not obligate the County to pay any of the funding. Also Ms. Tacket stated that this kind of grant does not use up any of the slots allotted to the County for grants.

At this time Commissioner Parker left the meeting to represent the Commissioners at the Soil and Water Conservation meeting.

The Board recognized several **Boy Scouts** in the audience.

A motion was made by Commissioner Lewis to approve and sign the notice to bidders and specification for construction of **Bridge # 12 on Gutford Road** over Silver Creek. The motion was seconded by Commissioner Haire and passed 2-0. (See a copy of the notice attached.)

A motion was made by Commissioner Lewis to approve and sign **Supplemental Agreement # 1** on the bridge Project # 34 with a net change in the fee of nineteen thousand five hundred dollars (\$19,500.00). The motion was seconded by Commissioner Haire and passed 2-0. (See a copy of the agreement attached.)

County Auditor Barbara Bratcher Haas left at this time.

At the recommendation of County Engineer Hyun Lee, a motion was made by Commissioner Lewis to approve and sign a claim to **Seico, Inc.** for new road construction and small structure over Koetter Hollow per agreement and NTP dated January 13, 2000. The motion was seconded by Commissioner Haire and passed 2-0.

A motion was made by Commissioner Lewis to approve and sign **Ordinance 3-2004** (An Ordinance Adopting a **Drainage Review Fee Schedule** and for Establishing the Clark County Drainage Board Non-Reverting Fee Fund). The motion was seconded by Commissioner Haire and passed 2-0. (See a copy of the ordinance attached.)

A motion was made by Commissioner Lewis to approve and sign a **contract** between **Attorney Frank Ballard** and Clark County for bankruptcy, tax collection and other legal services. This contract does not include county employee benefits. The motion was seconded by Commissioner Haire and passed 2-0. (See a copy of the contract attached.)

A motion was made by Commissioner Lewis to authorize President Haire to sign a **deed** of correction which was approved at a meeting in September 2003. The deed was executed to vacate a joint easement. The deed prepared by **Attorney John Kraft** contained a typographical error. The motion was seconded by Commissioner Haire and passed 2-0.

A motion was made by Commissioner Lewis to approve and sign an **Interagency Agreement (Community Planning Project)** whereas Clark County has been awarded a Community Planning grant by the **Indiana Department of Transportation (INDOT)** to conduct local and regional community planning activities. Commissioner Lewis explained that the County must front the money for this grant and submit for reimbursement. Commissioner Lewis recommended approval of this agreement. The motion was seconded by Commissioner Haire and passed 2-0.

Mr. Thomas Tishner, Clark County Taxpayer, addressed the Board with a request that the solid waste bill be added to the tax bill. Commissioner Lewis explained that that would be a decision of the Solid Waste Board.

A motion was made by Commissioner Lewis and seconded by Commissioner Haire to appoint Mr. William Noe to finish out the unexpired term of Ms. Pauline May on the Utica Township Fire Protection District. Ms. May resigned from the position. The motion carried 2-0.

Commissioner Lewis made a motion to reappoint all the members of the Emergency Management Advisory Council which are:

David Lewis
Roger Shaw
Paul Kraft
Michael Becher
Michael Meyer
William Scott
James R. "Bob" Rogge, Jr.
John Uhl

The appointments are for a term beginning February 3, 2004 and expiring February 2, 2005. The motion was seconded by Commissioner Haire and passed 2-0.

Commissioner Lewis reported that the Board received a request from the President of the **Sterling Oaks Subdivision** Homeowners Association that the Board interpret the County Subdivision Ordinance such that they not are required to have dividers along the road that enters into the subdivision. Commissioner Lewis made a motion that it be the policy of the Commissioner that they interpret the subdivision control ordinance as follows: The provision that requires two entrances or a divider entrance for fifty or more lots be interpreted such that you're not required to have a long string of dividers the full length of the road to meet the second phase of the subdivision. Also, as part of the motion, move that they notify the Homeowners Association of Sterling Oaks Subdivision that they may remove the dividers at their expense. The motion was seconded by Commissioner Haire and passed 2-0.

The **Community Foundation of Southern Indiana**, who donated one hundred thousand dollars (\$100,000.00) for sirens throughout the County, contacted the Board stating that they have come across an ordinance in **St. Joseph County (South Bend, Indiana)** where-in the county requires new development to install **sirens** as part of their development in residential areas. They sent a sample of the ordinance and would like the County to adopt and **ordinance** such as this. The Commissioners instructed County Attorney Scott Lewis to review this and bring back a recommendation to the Board.

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

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA

VICKY KENT HAIRE, PRESIDENT

RAMOND PARKER, MEMBER

DAVID LEWIS, MEMBER

SIGNED THIS DAY

ATTEST:

BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR