

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
JUNE 3, 2004**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on June 3, 2004 in Room 308, City-County Building, Jeffersonville, Indiana.

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

County Auditor Barbara Bratcher Haas stated that she had audited the payroll claims and found they comply with the local salary ordinance established by the Clark County Council and the signature of proper officials is affixed stating that the hours have been worked and the amounts are due. However, there is no approved appropriation against which to charge the amount and there is no approved levy from which to pay claims. A motion was made by Commissioner Lewis to approve the payroll claims as submitted. The motion was seconded by Commissioner Haire and passed 2-0.

A motion was made by Commissioner Lewis to approve draw request # 4 on **Clark County CFF Grant CF-02-132 Center for Lay Ministries Expansion** in the amount of thirty four thousand three hundred forty nine dollars and eighty cents (\$32,349.80). The motion also approved accounts payable vouchers for payments to Upton Pry, Inc. in the amounts of thirty thousand dollars nine hundred seventy nine dollars and eighty cents (\$30,979.80) and three thousand four hundred forty two dollars and twenty cents (\$3,442.20) to be paid with the funds from the draw. The motion was seconded by Commissioner Haire and passed 2-0.

Members of the **Community Corrections Advisory Board**, Judge **Vicki Carmichael**, **Council John Uhl**, **Ryan McGregor** and **Jeff Stonebraker** appeared before the Board with a report on the possibility of utilizing the building at the Clark County fairground property to house prisoners on a work release program. Judge Carmichael reported that they were told by the Department of Correction that if the County acquired the real estate, the Department of Correction will provide grant money to renovate it. Judge Carmichael stated that the property would hold approximately one hundred (\$100.00) prisoners. County Attorney Scott Lewis reported that he contacted **Mr. Dave Trotter, Clark County 4-H Fair Board**, and was assured that they have no objection as long as they do not house child abuse or violent offenders. County Attorney Scott Lewis advised that as a formality, the Clark County 4-H Board should waive their rights to the existing lease on the building. Commissioner Lewis made a motion to endorse this idea and instruct County Attorney Scott Lewis to cooperate with **Community Corrections** pursuing this project. The motion was seconded by Commissioner Haire and passed 2-0. **Councilman John Uhl** thanked the Board for their support on this matter.

At the meeting of May 20, 2004 **Sheriff Michael Becher** appeared next before the Board and explained that when he appeared before the County Council with a request for additional appropriations to cover **inmate medical expenses**, they referred him to the Commissioners for the funding. After discussion, the Board requested that the insurance company come in and discuss the 2002 and 2003 overage claims for which the Sheriff needs the additional appropriation. The Board tabled the decision until this meeting where, in response to that request, **Mr. Joe Kenworthy** appeared to discuss these claims. Commissioner Lewis stated that when this was proposed to the Board and they endorsed it, they were not told that there would be an overage charge or a threshold in which the County would pay dollar for dollar. **Ms. Connie Kitts, Sheriff Becher's Secretary/Bookkeeper**, stated that this program has saved the County at least one hundred thousand dollars (\$100,00) each year. **Mr. Kenworthy** explained that during the first two years of the contract there were no overages and these did not come in until after all the claims were closed. Commissioner Lewis asked that they provide County Attorney Scott Lewis a copy of the policy and the numbers of the savings for him to review. A motion was made by Commissioner Lewis to table until the meeting of June 17, 2004. The motion was seconded by Commissioner Haire and passed 2-0.

County Employee Insurance Agent of Record, Edward Culpepper Cooper, addressed the Board in regard to the **County Employee Insurance**. Mr. Cooper presented the Board with a **Health Insurance Cost Analysis** and requested permission to formally meet with Ace (Association of County Employees) and The Insurance Committee. Mr. Cooper also recommended that the employee contribution not be increased through December 31, 2004 and asked permission to go before the County Council and share this information. County Auditor Barbara Bratcher Haas reminded Mr. Cooper of the enrollment date and stated that her office often gets calls about the health insurance. Mr. Cooper agreed that these calls should be directed to the Culpepper Group. Mr. Cooper also reported that the Sheriff's Lawsuit for using prisoners at the Army Ammunition Plant in a contaminated environment has no coverage under Property Casualty forms and the **Property Casualty Bids** are out and will be presented in July. Commissioner Haire stated that one suggestion from Ace was for the employees to have more than one plan to choose from. County Auditor Haas reminder the Board and Mr. Cooper of the administrative side of this issue and reported that withholding the employee portion of the premium in the prior month has worked out well. Mr. Cooper agreed to meet with the Insurance Committee on June 10, 2004 at 4:30 P.M. No action was necessary by the Board at this time.

Mr. Steve Ostermeyer, Floyd E. Burroughs & Associates, Inc., was next on the agenda and appeared before the Board with a presentation and a request for future consideration in consulting engineering services.

Mr. Dennis R. Clark, Transportation Group Manager, Wolpert, LLP, was next on the agenda and appeared before the Board with a presentation and a request for future consideration in consulting engineering services.

Mr. John Kosinski, Sales Consultant, and Mr. Scott Walker, both of the **Plexis Group**, appeared before the Board with a presentation on the **GASB 34 (Government Accounting Standards Board)**. As **Mr. Ken Minet, Butler, Fairman & Seufert, Inc.** stated at the meeting of May 20, 2004 **Mr. Kosinski** and **Mr. Walker** stated that the State Board of Accounts has asked that all City and County Governments comply with the GASB 34 system. They also explained that GASB 34 is an asset and liability reporting system and failure to comply could cause repercussions to the County in bonding issues. The Board suggested that these Gentlemen appear before the Clark County Council with this presentation and Commissioner President Haire agreed to contact **County Council President Danny Rodden** about them getting on their agenda for this presentation.

County Engineer Hyun Lee reported that phase two of the **Graebe Road Bridge # 107** design project is completed and they are ready to acquire right of ways for the project. County Engineer Hyun Lee made a recommendation to approve seventeen thousand three hundred dollars (\$17,300.00) to **RW Armstrong** for engineering services. The motion was seconded by Commissioner Haire and passed 2-0.

Commissioner Lewis made a motion to approve and sign a contract with The **Indiana State Board of Animal Health (BOAH)** The motion was seconded by Commissioner Haire and passed 3-0. (See a copy of the contract attached.)

At the meeting of May 20, 2004, with the recommendation of County Engineer Hyun Lee, Commissioner Lewis made a motion to put a stop sign at the intersection of **New Chapel Road and Lenzier Trace**. County Attorney Scott Lewis submitted a petition which had been signed by homeowners who are in favor of the new stop sign. The Board instructed County Attorney Scott Lewis to prepare an ordinance for the Board to approve at the meeting of June 3, 2003. As instructed by the Board, County Attorney Scott Lewis presented the Commissioners with an ordinance for the Board's approval. At this time a motion was made by Commissioner Lewis to approve and sign **Commissioner's Ordinance 7-2004 (An Amendment to Article 6, Section 6-2 of the Clark County Traffic Ordinance Adding the Intersection of New Chapel Road and Lenzier Trace to the List of Multiway Stop Intersection)** amending ordinance no. 7-1983. The motion was seconded by Commissioner Haire and passed 2-0. (See a copy of the ordinance attached.)

Also, at the meeting of May 20, 2004, with the recommendation of County Engineer Hyun Lee, County Attorney Scott Lewis submitted a petition which had been signed by homeowners who are in favor of the new **stop sign**. The Board instructed County Attorney Scott Lewis to prepare an ordinance for the Board's consideration at the meeting of June 3, 2003. As instructed by the Board, County Attorney Scott Lewis presented the Commissioners with an ordinance for the Board's consideration. At this time a motion was made by Commissioner Lewis to approve and sign **Commissioner's Ordinance 8-2004 (An Amendment to Article 6, Section 6-2 of the Clark County Traffic Ordinance Adding the Intersection of Utica Sellersburg Road and New Chapel Road to the List of Multiway Stop Intersection)**. The motion was seconded by Commissioner Haire and passed 2-0. (See a copy of the ordinance attached.)

Commissioner President Haire asked County Attorney Scott Lewis to research the **Clark County Noise Ordinance** and report at the next meeting which will be held June 17, 2004.

Because of the recent **tornado damage** in the County, Commissioner Haire made a motion to contact the **Clark-Floyd County Landfill** and ask them to send the bills for tipping fees, on the loads of debris from the storms, to the County Commissioners. The Commissioners reported that they will apply for reimbursement from **FEMA (Federal Emergency Management Agency)**. County Attorney Scott Lewis gave his approval on this decision. The motion was seconded by Commissioner Lewis and passed 2-0.

County Auditor Barbara Bratcher Haas reported to the Board that there is not enough money in the fund to pay the **Jail Bond Debt Payment**. Auditor Haas reported that she received an invoice from J.P. Morgan Institutional Trust Services in the amount of four hundred forty seven thousand, eight hundred and forty four dollars (\$447,844.00) which is due by June 30, 2004. County Commissioner Lewis made a motion to authorize County Auditor Haas to pay the bond payment with the understanding that this is a result of late billing and late distribution of taxes. The funds will come in after taxes are collected and the distribution is finished. The motion was seconded by Commissioner Haire and passed 2-0.

County Auditor Barbara Bratcher Haas asked the Board for a determination as to where documents pertaining to the **ICI (Imperial Chemicals Industries) Lawsuit** should be stored. These documents were delivered to the Auditor's Office. The Commissioner's determined that they will keep the documents in the Commissioner's storage.

County Auditor Barbara Bratcher Haas asked the Commissioners to clarify the procedure for release of retainage for security on **bids**. The Commissioners authorized County Auditor Haas to release the retainage when she receives the security bond on the job replacing the check provided to secure the bid.

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

After a motion by Commissioner Lewis, seconded by Commissioner Haire, and a vote of 2-0, the Board tabled the appointment replacing **Mr. Phil Milton** to the **Regional Sewer and Water District**. Mr. Melton resigned from the Board because of a conflict with other meetings.

There being no further business to come before the Board and on a motion made by Commissioner Lewis and 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