

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY INDIANA  
OCTOBER 7, 2004**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on October 7, 2004 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Vicky Kent Haire, David Lewis, Raymond Parker, 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.

The minutes for the meeting of August 26, 2004 and September 9, 2004 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.

By written statement Barbara Bratcher Haas stated that she had audited the payroll claims 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 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 Parker and passed 3-0.

Jill Saegesser and Melissa Woods were next on the agenda but did not attend the meeting.

Sheriff Becher was again on the agenda in regard to inmate insurance, but did not attend the meeting. Commissioner President Haire reported that she was contacted by **Sheriff Becher** before the meeting and his request is for forty two thousand and eighty six dollars (\$42,086.00) to pay the inmate insurance expenses. By a motion from Commissioner Lewis, second from Commissioner Parker and a vote of 3-0, the Board declared an emergency situation to exist that demands immediate action. Pursuant to IC.36-9-15.5-8 (C) the Board found it necessary, to protect the public health, welfare or safety, to expend money from the **Cumulative Capital Development Fund** in the amount of forty two thousand and eighty six dollars (\$42,086.00) to pay the above expenses.

**Ms. Amy Johnson, Maximus, Inc., County Clerk Keith Groth, Judge Fleece, Matt Dyer, Clark County Systems Administration, and Bill Clark, Clark County Systems Administration** appeared before the Board in regard to the court computer system. Ms. Johnson reported that her company has done all that they can for the current system and replacement parts would be hard to get if needed. Judge Fleece and County Clerk Groth expressed their concerns about what would happen if this system were to crash, which Mr. Dyer, Systems administration, stated was a possibility. By a motion from Commissioner Lewis, second from Commissioner Parker, the Board declared an emergency situation to exist that demands immediate action. Pursuant to IC.36-9-15.5-8 (C) the Board found it necessary, to protect the public health, welfare or safety, to expend money from the **Cumulative Capital Development Fund** in the amount of forty seven thousand five hundred sixty three dollars (\$47,563.00) for **Maximus Software and Services Hardware**, twelve thousand four hundred dollars (\$12,400.00) for **MicroFocus Software** and thirty thousand six hundred twenty four dollars for **Minntek Hardware** for a one time fee of ninety thousand five hundred eighty seven thousand (\$90,587.00).

**Mr. Jim Gulick and Mr. Dan Favardin, Bernardin Lockmueller & Associates,** appeared before the Board with an update on the **Perry Crossing Road Project. Mr. Farvardin, P.E. Bernardin Lockmueller & Associates Construction Division,** reported that at the public meeting they discussed rock and driveway issues that will be taken care of in the next couple of weeks. In regard to the ditch issue that was addressed by the Board of Commissioners at their meeting of September 9, 2004, in which the Board voted to authorize Bernardin Lockmueller & Associates to submit a change order to **INDOT (Indiana Department of Transportation)** requesting eighty percent match funds to cover catch basin and drain work. That request was denied by INDOT. INDOT has since agreed to the eighty percent match funds to cover the one ditch that does not comply with the 3-1 slope design. At the recommendation of Bernardin, Lockmueller & Associates, Commissioner Lewis made a motion to authorize Bernardin, Lockmueller & Associates to submit a change order to INDOT (Indiana Department of Transportation) requesting the eighty percent match funds to cover the one ditch that does not comply with the 3-1 design slope. The motion was seconded by Commissioner Parker and passed 3-0. Mr. Farvardin reported that they plan to have their public hearing on this project late November or early December of this year and will keep the Commissioners informed as to the details of the meeting.

**Mr. Kevin Loiselle, Farrar, Garvey & Associates,** appeared before the Board with the **Clark County Phase Two Bridge Replacement Report. Mr. Loiselle** left the Board with a copy for their review. No action was necessary by the Board.

**Mr. Mark Rappe, Strand Associates, Incorporated,** addressed the Board with a report on the Star Hill Road Project. Mr. Rappe reported that they had the field check on the project two weeks ago and one representative of INDOT attended. He stated that he did not think there were any concerns raised that would cause any plan changes. Mr. Rappe presented the Board with a summary of additional services and went over the list one by one. Commissioner Parker made a motion to table decision on the additional services until the next meeting which will be held October 21, 2004. The motion was seconded by Commissioner Lewis and passed 3-0.

Upon the recommendation of County Engineer Hyun Lee, Commissioner Parker made a motion to accept **Skyline Acres Subdivision Section 1 & Fields of Lancassange Subdivision Section 2** to the Clark County Highway System. The motion was seconded by Commissioner Lewis and passed 3-0.

**Mr. Chad McCormick, SMF Engineering**, addressed the Board with a report on the **Storm Water Quality Program. Clark County Drainage Board President Harold Hart, P.E.**, joined Mr. McCormick and reported that he went before the Clark County Council with a request for funding and was told that they were sorry but, they did not have any money. Drainage Board President Hart stated that he would hate to see Clark County be made an example because they have not complied. In regard to the risk of fines from the State for not complying with the Phase 2 Stormwater Emplementation, Commissioner Lewis made a motion to contract with Jacobi, Toombs and Lanz for professional services and the Board declared an emergency situation to exist that demands immediate action. Pursuant to IC.36-9-15.5-8 (C) the Board found it necessary, to protect the public health, welfare or safety, to expend money from the **Cumulative Capital Development Fund** in the amount of eighteen thousand five hundred dollars (\$18,500) from the Cumulative Capital Development Fund for the said contract. County Attorney Scott Lewis stated that he had reviewed the contract and gave his approval. The motion was seconded by Commissioner Parker and passed 3-0.

A motion was made by Commissioner Parker to approve **Resolution No.5-2004 (A Resolution Authorizing the Use of Funds to Pay for Various Required Costs in Connection With Evening and/or Weekend Pre-Trial Court Hearings)**. The Board declared an emergency situation to exist that demands immediate action. Pursuant to IC.36-9-15.5-8 (C) the Board found it necessary, to protect the public health, welfare or safety, to expend money from the **Cumulative Capital Development Fund** on a monthly basis beginning at twenty thousand dollars (\$20,000). Commissioner President Haire stated that this in no way dictates to the judges. The motion was seconded by Commissioner Lewis and passed 3-0. The Commissioners instructed County Attorney Scott Lewis to research the Federal guidelines on pay for court reporters.

Commissioner Parker made a motion to approve and sign a grant application to the Indiana Department of Commerce for the Star Hill Road Project. The motion was seconded by Commissioner Lewis and passed 3-0.

A motion was made by Commissioner Lewis to approve and authorize President Haire's signature on the **Indiana Criminal Justice Institute Juvenile Accountability Block Grant Program Grant Award Letter** in the amount of thirty five thousand four hundred ninety one dollars (\$35,491.00). County Attorney Scott Lewis stated that this would not require any County funds. The motion was seconded by Commissioner Parker and passed 3-0.

Commissioner Parker made a motion to approve and authorize President Haire's signature on a Quitclaim Claim Deed from the Board of Commissioners to **The Family Health Care Center of Clark County, Indiana** for **lot 7 of Hendrickson Addition** which is 1301 Akers Avenue Jeffersonville Indiana. The motion was seconded by Commissioner Lewis and passed 3-0.

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

By a motion by Commissioner Lewis, seconded by Commissioner Parker, and a vote of 3-0, the Board appointed **Kathy Jones** to the **New Washington Fire Protection District** for a term beginning October 7, 2004 and expiring the first Monday of January 2006.

Commissioner Lewis made a motion to **change the regular meeting** of December 2, 2004 to December 6, 2004 at nine thirty (9:30) in the morning. The motion was seconded by Commissioner Parker and passed 3-0.

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

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, INDIANA

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VICKY KENT HAIRE, PRESIDENT

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RAMOND PARKER, MEMBER

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DAVID LEWIS, MEMBER

SIGNED THIS DAY

ATTEST:

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BARBARA BRATCHER HAAS  
CLARK COUNTY AUDITOR