

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
JULY 28, 2005**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on July 28, 2005 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Edward Meyer, Vicky Kent Haire and Ralph Guthrie, County Auditor Barbara Bratcher Haas, County Attorney Daniel Moore, Secretary Linda Basham, and Deputy Auditor Theresa James.

The minutes for the meeting of May 19, 2005 and June 2, 2005, having been mailed to the Commissioners and Mr. Moore prior to the meeting, were presented to the Board for approval. Commissioner Haire made a motion to approve the minutes as presented. The motion was seconded by Commissioner Guthrie and passed 3-0.

County Auditor 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 proper officials is affixed stating that the hours have been worked and the amounts are due. A motion was made by Commissioner Haire to approve the payroll claims as submitted. The motion was seconded by Commissioner Guthrie and passed 3-0.

County Auditor Barbara Bratcher Haas stated that she had audited the current list of vendor claims and found that they have a properly itemized invoice or contract attached and that the proper official has affixed a signature stating that the services have been provided. A motion was made by Commissioner Haire to approve the vendor claims as submitted. The motion was seconded by Commissioner Guthrie and passed 3-0.

Commissioner President Meyer reported that he and Auditor Haas meet with an officer of **The State Board of Accounts** and they want the officeholders and anyone who submits a payroll voucher to the Auditor's Office, to fill out the prescribed forms properly. Commissioner Haire made a motion to instructed Mr. Moore to prepare a letter to the **Clark County Officeholders** concerning sick days and vacation days and authorize President Meyer to sign the letter outside the meeting. The motion was seconded by Commissioner Guthrie and passed 3-0.

Laura Dixon, River Hills Economic Development District, submitted the **Community Development Block Grant Semi-Annual Reports on Grant # PL-04-033 and Grant # PL-01-068.**

Commissioner Guthrie made a motion to approve and authorize President Meyer's signature on a letter to Mr. **Jon Smith, Deputy State Historical Preservation Officer, Indiana Department of Natural Resources**, stating that the proposed LifeSpring Expansion Project's do not contain any historic buildings, structures, districts, objects, or archaeological resources listed in or eligible for inclusion in the **Natural Registry** based on correspondence with the **State Historic Preservation Officer**. Commissioner Haire made a motion to approve and authorize President Meyer's signature on the letter. Commissioner Guthrie seconded the motion and it passed 3-0.

Ms. Dixon also, submitted a copy if Draw Request No.1 for (\$19, 860.00) nineteen thousand eight hundred and sixty dollars on the **Clark County Planning Grant No. PL-04-033-Childplace Feasibility Study** for their approval before forwarding it on to IDOC or processing. Commissioner Haire made a motion to approve the draw request and authorize River Hill to forward it to **IDOC**. The motion was seconded by Commissioner Guthrie and passed 3-0.

Commissioner Guthrie made a motion to approve and authorize President Meyer's signature on a claims voucher for (\$4,166.00) four thousand one hundred sixty six dollars and (\$4,266.00) four thousand two hundred sixty six dollars to pay **Bernardin, Locmuller & Associates** and be reimbursed by the **INDOT Smart Growth Grant**. The motion was seconded by Commissioner Haire and passed 3-0.

Kenny Rush and **Spencer Cole** addressed the Board with a request to close a portion of **Diefenbach Road** in **Sellersburg**. The Gentlemen stated that **Sellersburg Stone** owns both sides of the road and they were willing to cover all expenses for this closure. Commissioner Meyer made a motion to close the portion of the road at no cost to the County. The motion was seconded by Commissioner Guthrie and passed 3-0.

Mr. Rob McGinnis. ES&C, gave a demonstration on voting equipment, which complies with the requirements of the **HAVA (Help America Vote Act)**. **Mr. McGinnis** stated that a decision would have to be made by the County by January 1, 2006 and it would take eight weeks for delivery. Mr. McGinnis stated that the County would be reimbursed by the State for the majority of the cost of this equipment. **John Montgomery** spoke to the Commissioners regarding the changes that must be made in order for the voting locations to meet the requirements. The Board moved to form a Board comprised of two commissioners, two council members, the **Election Board**, **County Clerk Keith Groth** and **Mr. Bubby Vissing** to proceed with a plan to get in compliance.

Ramona Bagshaw, Clark County Planning and Zoning, made a request for (\$5,000.00) five thousand dollars needed to pay for Clark County Planning and Zoning attorney fees. Ms. Bagshaw stated that she had made the request to the Clark County Council and it was denied. The Commissioners advised Ms. Bagshaw that they would go back before the County Council with her with the request.

Commissioner Haire made a motion to approve and sign the **Continuation Grant** for the **Clark County Health Department**. The motion was seconded by Commissioner Guthrie and passed 3-0.

Ms. Joan Kemper, Executive Vice President of Lifesprings and **Dr. Terry Sayward** informed the Commissioners that **Lifesprings** has not at the time secured the match funding for the Community Focus Grant, which the Commissioners approved to construct a building for a gambling treatment center. From the advice of Mr. Moore and Laura Dixon, the Board decided to wait and give Lifesprings an opportunity to secure the funding, but not sign the resolution unless the funding is in place.

A motion was made by Commissioner Haire to approve and sign **Planning & Zoning Resolution 15-2005 (Joseph A & Frances Porter)**. No persons spoke against this Resolution. **Alan Applegate, Attorney**, was present at the meeting to answer any questions. The motion was seconded by Commissioner Guthrie and passed 3-0.

Commissioner Haire made a motion to approve and sign **Commissioner's Ordinance No. 11-2005 (An Ordinance Changing the Zoning Map Designation of an Approximately 5.072-ACRE Tract of Property Located at 7515 State Road 62, Survey No. 52 of the Illinois Grant, Utica Township, Clark County, Indiana, From Limited Business and General Business to Agricultural)**. Commissioner Guthrie seconded the motion and it passed 3-0.

Keith Fetz, Maverick Insurance, addressed the Board regarding the County's property and liability insurance. Mr. Fetz reported that the County was covered until August 1, 2005 asked for direction regarding the policy. **Bruce Elder, Diversified Insurance, Clark County Property and Liability Insurance Agent of Record**, made a recommendation for the County to contract with Bliss Knight for the County's property and liability insurance. **Mr. Jerry Adams** was present with **Mr. Elder**. Commissioner Guthrie made a motion to follow the recommendation of Mr. Elder, Agent of Record, and contract with **Bliss Knight Insurance**. For the record it was agreed that any existing claims prior to August 1, 2005 would be forwarded to Mr. Fetz. The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Haire made a motion to approve and sign an **Interlocal Agreement** with **The Town of Utica** for one day of bush hog work to be done by a county employee using county equipment and The Town of Utica would reimburse the County for the manpower. Commissioner Guthrie seconded the motion and it passed 3-0.

At the recommendation of County Engineer Hyun Lee, Commissioner Haire made a motion to approve and sign **Addendum to Agreement for Engineering Services with WTH Engineering, Inc.** for additional engineering services on the **Bridge # 78** Project. In return **WTH Engineering, Inc.** shall receive an additional (\$3,450.00) three thousand four hundred fifty dollars. Commissioner Guthrie seconded the motion and it passed 3-0.

At the recommendation of County Engineer Hyun Lee, Commissioner Haire made a motion to approve and sign a letter authorizing the access to **Perry Crossing Road** between **Allentown Road** and the Maintenance Facility to limited access only to residents and persons with approved parking pass credentials. Commissioner Guthrie seconded the motion and it passed 3-0.

A motion was made by Commissioner Haire to sign and approve payment of a claim to **Strand Associates Incorporated** in the amount of three thousand seven hundred thirty one dollars and seventy-five cents (\$3,731.75) for professional engineering services on the **Star Hill Road Design Project**. The motion was seconded by Commissioner Guthrie and passed 3-0.

Commissioner Haire made a motion to approve and sign an agreement with **The Estopinal Group** to provide professional architectural, interior, security, mechanical, electrical, and plumbing services for the third floor build-out on the jail to serve as the Clark County work release program subject to the edit funds. Commissioner Guthrie seconded the motion and it passed 3-0.

Commissioner Guthrie made a motion to approve and authorize President Meyer's signature outside the meeting on a letter of support to the **Community Corrections Board** stating the Commissioner's support for a work release program. Mr. Moore was instructed to draft the letter. The motion was seconded by Commissioner Haire and passed 3-0.

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

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

Mr. Moore reported that they received a letter from a citizen complaining about the ambulance service in Clark County. The Commissioner's instructed Mr. Moore to forward the letter to the Public Safety Committee.

Commissioner Guthrie made a motion to approve and authorize President Meyer's signature on a letter to **Mr. Joe Chapelle** and **Mr. Jim Gutting** confirming the decision of the Board of Commissioners to terminate further representation by their firm in the moratorium lawsuit. The motion was seconded by Commissioner Haire and passed 3-0.

Mr. Moore informed the Board that **Marion County, Indiana** has filed a lawsuit against the State of Indiana concerning the juvenile debt. Commissioner Haire made a motion to intervene in the lawsuit and assign Attorney Scott Lewis to monitor the lawsuit for the Commissioners. Commissioner Guthrie seconded the motion and it passed 3-0.

Commissioner Haire made a motion to put in a request from the Council for approximately (\$650,000) six hundred fifty thousand dollars from the SEDIT money to pay the remaining cost of the **jail project**. Commissioner Guthrie seconded the motion and it passed 3-0. The Board asked Auditor Haas to submit that request to the Council.

Commissioner Haire made a motion to instruct Mr. Moore to draft a letter to the County Council asking for the staffing information for the new **jail expansion** and approval for Commissioner Meyer to sign the letter outside the meeting. Commissioner Guthrie seconded the motion and it passed 3-0.

Commissioner Haire made a motion to appoint **M. Ed Meyer, Ralph Guthrie, Barbara C Hollis, Donald H. Sloan, Bob Popp, Gordon L. Gutmann M.D., Phillip Stocksdale, Mary Green M.D., and Elmer L Hoehn** to the **Clark Memorial Hospital Moratorium Task Force**. Commissioner Guthrie seconded the motion and it passed 3-0.

To the extent the Board held an executive session of any type under (I C 5-14-1.5-6) or otherwise, the Board hereby certifies that no subject matter was discussed therein except that posted in the notice for session or meeting (I C 5-14-1.5-6.1).

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

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA

EDWARD MEYER, PRESIDENT

VICKY KENT HAIRE, MEMBER

RALPH GUTHRIE, MEMBER

SIGNED THIS DAY

ATTEST:

BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR

