

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
FEBRUARY 24, 2005**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on February 24, 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 January 13, 2005 and January 27, 2005, having been mailed to the Commissioners and Mr. Moore prior to the meeting, were presented to the Board for approval. Commissioner Guthrie made a motion to approve and sign said minutes. The motion was seconded by Commissioner Haire and passed 3-0.

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 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 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. 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 Guthrie to approve the vendor claims as submitted. The motion was seconded by Commissioner Haire and passed 3-0.

Mr. Jim Ryan, Sovran Limited, addressed that Board regarding funding to solve the County's overcrowding issues. After a presentation by Mr. Ryan, Commissioner Guthrie made a motion to approve and sign a consulting agreement between Sovran Limited and the Board of Clark County Commissioners on behalf of Clark County Community Corrections for a cost-benefit assessment of the **Clark County Jail**. Mr. Ryan stated that the funds for the contract will be paid by the Clark County Community Corrections Grant. The motion was seconded by Commissioner Haire and passed 3-0. Mr. Moore suggested that Mr. Ryan meet with the members of the Clark County Council, as well as the other "stakeholders" he mentioned.

Planning and Zoning Resolution 4-2005 (Timothy A. Powell) was brought for public hearing. No persons spoke to the Board regarding this resolution. Commissioner Guthrie made a motion to approve and sign Resolution 4-2005. The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Guthrie made a motion to approve and sign **Commissioner's Ordinance 5-2005** (An Amended Ordinance of the Clark County Commissioners Providing for Funding of the Jail Medical Fund and Procedures for Expensing from Said Fund). The motion was seconded by Commissioner Haire and passed 3-0.

Mr. Bill Smith, Attorney for Clark Memorial Hospital, addressed the Board regarding a moratorium ordinance to protect the financial integrity of Clark Memorial Hospital. **Mr. Comeron Gilbert, CEO and President of Clark Memorial Hospital**, presented the Board with an overview of why the moratorium ordinance is necessary for Clark County. Mr. Gilbert stated that this decision would not affect the mental health facilities. Commissioner Haire made a motion to approve and sign **Ordinance No. 6-2005** (An Ordinance Exercising the Police Powers of Clark County). The motion was seconded by Commissioner Guthrie and passed 3-0. The Board instructed County Auditor Barbara Bratcher Haas to see that the ordinance be published. From the audience, Mr. James Wesp expressed his opposition to the ordinance.

Jeffersonville City Court Judge Vicki Carmichael, accompanied by **Ryan McGregor, Jack Lighthart** and **Ted Throckmorton** all members of the **Community Corrections Advisory Board**, gave a project update on the **Clark County Jail Holding Corporation** Clark County Corrections complex addition and renovation. Also, Judge Carmichael informed the Commissioners that there are two openings on their Board that need to be filled, one because of the resignation of Mr. Homer Smith. No action was taken by the Board.

The Commissioners recognized **Mark Shireman, Jail Construction Manager, Theresa A. Law, Jail Bond Trustee, J.P. Morgan, Carter Bender, Sprung Instant Structures, Donnie Timberlake Project Manager, Nathan Love, Architect The Estopinal Group, Project Manager, Debra Killebrew, Jill Oka, Sheriff Michael Becher** and **County Council President Barbara Hollis** reported that in the past the County Council had researched the possibility of Sprung Buildings, and based on the results at that time, they determined that it would not be cost effective. Council Person Hollis stated that it would be better if they had a definite use for the building after the jail project is completed. Sheriff Becher stated that the facility could work easily with Community Corrections and could be operated with staff that he already has in place.

Mark Shiremen gave a progress report on the jail construction project. Sheriff Becher presented the Board with a list of operational items needed for the jail after completion of the project totaling a cost of one hundred eighty five thousand six hundred seventy six thousand dollars (\$185,676.00) which he stated had not been addressed.

Sheriff Becher asked who the bookkeeper was for the jail construction project. Mr. Moore suggested that a financial advisor be hired for the project. **Mr. Greg Read**, Attorney for the Clark County Jail Holding Corporation, asked the Board to address invoices regarding repair of an alarm system in the jail. Sheriff Becher stated that this repair was needed as a result of the new jail construction. The Commissioners asked County Auditor Barbara Bratcher Haas to research the Board's decision when this invoice was brought before them earlier. Auditor Haas agreed to do the research.

County Council Member Monty Snelling questioned whether the geological engineers on the jail project had a performance bond which would cover the addition cost of construction incurred because the poor soil was not strong enough for the height of the building should they be liable. No action was taken by the Board.

County Council Member Barbara Hollis invited all to attend the budget council which will be held after Labor Day.

A bill which had been sent to the Commissioner from **Crowe Chizik** was presented to Vicki Conlin, Jail Holding Corporation Board Member. Ms. Conlin stated that she had not seen the bill before. Mr. Moore agreed to send the bill back to Crowe Chizik and ask for more detail.

County Council Member Roy Everett expressed concern about not being able to get information on the bond issue. Mr. Moore advised that, per a letter from the Clark County Commissioners and the Clark County Council to **Theresa Law, J. P. Morgan**, future access to this information will not be a problem. **Ms. Vicki Conlin** also re-stated that she had given access information to the Council in 2004.

Mr. Doug Fields, 12920 Columbus Mann Road, Memphis, Indiana, questioned the Board about the amount of the property tax bill which pays for the original bond construction payment. The Commissioners referred Mr. Fields to the Clark County Council.

A motion was made by Commissioner Meyer to schedule a **Joint Executive Session** with the Clark County Council Wednesday March 2, 2005. The motion was seconded by Commissioner Haire and passed 3-0. The Board instructed Mr. Moore to post notice of this meeting.

Upon the recommendation of County Engineer Hyun Lee, Commissioner Haire made a motion to accept **Steeplechase Subdivision Units # 4 and # 5** to the Clark County Highway System. The motion was seconded by Commissioner Guthrie and passed 3-0.

Commissioner Guthrie made a motion to approve and sign **Supplemental Agreement No. 1** between Clark County and **DLZ Indiana, LLC**, to provide additional engineering services required to perform certain tasks concerning the construction of **Clark County Bridge # 40**. The motion was seconded by Commissioner Haire and passed 3-0.

A motion was made by Commissioner Guthrie to hire **CPI Supply** for the replacement of a **culvert on King Road**. The motion was seconded by Commissioner Haire and passed 3-0.

A motion was made by Commissioner Guthrie to sign and approve payment of a claim to **Strand Associates Incorporated** in the amount of two thousand two hundred forty one dollars and forty cents (\$2,241.40) for professional engineering services on the **Star Hill Road Design Project**. The motion was seconded by Commissioner Haire and passed 3-0.

As requested by the Board at the previous meeting, Sheriff Becher introduced **Mr. Carter Bender, Manufacturer's Representative for Sprung Instant Builders**, who gave a presentation on the building. When asked, Sheriff Becher stated that he is in favor of Sprung Buildings as a solution to the overcrowding problem in the jail. **Mr. Paul Downing, State Jail Inspector**, stated that unlike a year ago when the design could not be approved for inmates, he is not against this type of structure and thinks it is do-able.

At the close of the meeting **County Council President Barbara Hollis** reported that in the past the County Council had researched the possibility of Sprung Buildings, and based on the results at that time, they determined that it would not be cost effective. Council Person Hollis stated that it would be better if they had a definite use for the building after the jail project is completed. Sheriff Becher stated that the facility could work easily with Community Corrections and could be operated with staff that he already has in place.

April Stackhouse asked the Board for the use of a building or office space owned by the County, to operate the **Baby Haven Diaper Shop** (a non-profit facility providing diapers and baby supplies for families in need). Ms. Stackhouse reported that the shop is now located in an 8' x 12' room in the **Casi Building** that is not big enough because they are expanding to include baby furniture. The Commissioner's explained that there isn't anything available at this time and suggested that she contact Jill Saegesser at River Hills Economic Development District to see if grant funding is a possibility for this project.

At the previous meeting, because of a possible conflict of interest, Mr. Moore recused himself regarding a commercial Lease Agreement between **Jesse Ballew Enterprises** and **Clark County Emergency Management Agency**. Auditor Haas forwarded the agreement to **Attorney David Nachand** for review. Mr. Nachand reviewed the agreement and submitted a memorandum to the Clark County Emergency Management Agency and submitted it to the Auditor. Prior to the meeting Auditor Haas sent copies of the memorandum to each Commissioner and Mr. Moore. Commissioner Guthrie moved to table approval of the agreement until the next meeting. The motion was seconded by Commissioner Haire and passed 3-0.

The Treasurer's and Clerk's monthly reports for January were submitted for the record.

Concerning a retired County Employee who wishes to be re-instated on **County Employee Health Insurance**, the Board moved to take it under advisement.

Commissioner Guthrie made a motion to approve **Commissioner's Ordinance 7-2005** (An Amended Ordinance of the Clark County Commissioners Concerning Payment of Claims). The motion was seconded by Commissioner Haire and passed 3-0. (See copy attached)

Commissioner Guthrie made a motion to approve **Commissioner's Ordinance 8-2005** (An Ordinance Establishing the Clark County Soil & Water Conservation District Non-Reverting Fund and Implementing Procedures). The motion was seconded by Commissioner Haire and passed 3-0. (See copy attached)

A motion was made by Commissioner Haire to approve and sign a Memorandum of Independent Contractor Agreement for Animal Control Services. The motion was seconded by Commissioner Guthrie and passed 3-0. (See copy attached)

Commissioner Guthrie made a motion to approve and sign an Addendum to Contract for purposes of further delineating and clarifying work procedures to be performed in 2005 and thereafter. Commissioner Haire seconded the motion and it passed 2-0. (See copy attached)

Auditor Haas asked the Board to form and appoint a Revenue and Reassessment Committee to meet with assessing officials and review the process. Commissioner Haire agreed to head the Committee. Commissioner Guthrie made a motion to form the committee and asked that a list of appointments be brought to the Board. The motion was seconded by Commissioner Haire and passed 3-0.

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

There being no further business to come before the Board and on a motion made by Commissioner Haire, seconded by Commissioner Guthrie, 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