

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
November 17, 2005**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on November 17, 2005 in Room 308, City-County Building, Jeffersonville, Indiana.

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

The minutes for the meeting of August 25, 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 the minutes as presented. The motion was seconded by Commissioner Haire 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 Guthrie to approve the vendor claims as submitted. 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 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 with the same exception of the prior meeting. A motion was made by Commissioner Haire to approve the payroll claims with the exception. The motion was seconded by Commissioner Guthrie and passed 3-0.

Planning and Zoning Resolution 19-2005 (Laurel Springs), having been tabled from a prior meeting, was brought to the table. Commissioner President Ed Meyer announced this matter being involved in litigation will be tabled until the first meeting of December, 2005.

Lori Fleeman, representing Clark Superior Court # 1, appeared seeking direction from the board regarding the contract with **Lifespring's for competence evaluations** or insanity valuations for inmates or defendants who are out of jail. Ms. Fleeman stated that according to her research the contract with Lifespring has never included this service, however Lifespring has performed this service without charge, but is no longer willing to do so. Dan Moore, County Attorney, requested the court to prepare a narrative letter stating the history of this matter so the commissioners could have something official from the court. Commissioner Haire agreed to contact Lifespring in an effort to resolve this matter. John Vissing, a member of the Lifespring Foundation Board suggested that Commissioner Haire contact Dr. Stawar at Lifespring.

Hyun Lee, County Engineer, recommended that the county accept about 1000 feet of a road between **Bean Road and Silver Creek Subdivision** into the county's inventory. Commissioner Guthrie moved to accept this recommendation which was seconded by Commissioner Haire and passed 3-0.

County Auditor, Barbara Bratcher Haas, advised the board as they directed at the last meeting she had delivered the Interlocal Agreement between the County Commissioners and the **Monroe Township Volunteer Fire Department** for paving of the parking lot to the County Council for action. The Council approved the agreement and the original with signatures of both boards would be a part of this record and a copy was given to the County Engineer for his records.

Planning and Zoning Resolution No. 23-2005 a request to change the zoning of property located at **8122 Highway 60 in Sellersburg** from A-1 agricultural to R-3 multi family was called for public hearing. Commissioner President Meyer asked for anyone wishing to speak regarding this matter. John Kraft, Attorney at Law, representing the applicant spoke in support of the project. Mr. Kraft stated that this matter comes to this board without a recommendation from the plan commission. John Vissing, Attorney at Law, representing the surrounding homeowners spoke in opposition to the project. Both parties distributed handouts and photographs which are a part of the record. After hearing from both supporters and opponents, Commissioner Guthrie moved to table action on this matter until December 2, 2005 at 4:00 pm. Commissioner Meyer seconded the motion and it passed 3-0.

Commissioner Haire moved to approve an independent contractor agreement between the Clark County Drainage Board and **Anna McCartney**. The length of the agreement shall be one (1) year ending December 31, 2006 and the compensation shall be in the amount of \$250.00 per meeting. (See Attached) Payments are to be from the budget of the Drainage Board. Motion seconded by Commissioner Guthrie and passed 3-0.

Commissioner Haire moved to approve an independent contractor agreement for legal services between the Clark County Drainage Board and **William Dawkins**. The length of the agreement shall be one (1) year expiring on December 31, 2006 and the compensation shall be \$250.00 per month. Payments are to be from the budget of the Drainage Board. Motion was seconded by Commissioner Guthrie and passed 3-0.

An independent contractor agreement between the Clark County Drainage Board and **Dixon Engineering** for professional engineering and drainage plan services was brought for discussion. The agreement shall expire on December 31, 2006 and the compensation shall be at the rate of fifty-five (\$55.00) dollars per hour After indemnification concerns were expressed by the County Attorney, Commissioner Haire moved to table until the next meeting to allow the attorney time to review the contract further. Motion was seconded by Commissioner Guthrie and passed 3-0.

Upon a motion by Commissioner Guthrie and seconded by Commissioner Haire 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 (\$83,281.62) eighty three thousand two hundred twenty one dollars and sixty two cents to pay outstanding Commissioners debts for care of inmates. The motion passed 3-0.

Commissioner Guthrie moved to send a copy of an invoice for Workman's Comp Insurance to the county council with a request for an additional appropriation in the amount of \$8,671.00. Motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Meyer wanted the record to show that **Vicky Carmichael** was present at this meeting and was required to leave due to another commitment. Ms. Carmichael's concerns are regarding the implementation of a computer system which would link all the courts in Clark County. The Board asked Mr. Moore to try to arrange a meeting of all parties to resolve this matter.

At the suggestion of Mr. Moore, Commissioner Haire moved to enter into the record copies of letters from the **Indiana Department of Natural Resources, Office of the Governor and the Department of the Army** concerning the water wells at the Indiana Army Ammunition Plant in Charlestown. Motion was seconded by Commissioner Guthrie and passed 3-0. (See Attached)

At the suggestion of Mr. Moore, Commissioner Guthrie moved to enter into the record a copy of a letter to **Indiana Governor Mitch Daniels** signed by various board members and mayors of Clark County and a letter from Commissioner Ed Meyer regarding the water wells at the Indiana army Ammunition Plant in Charlestown. Motion was seconded by Commissioner Haire and passed 3-0. (See Attached)

Commissioner Guthrie moved to approve **Amended and Restated Resolution No. 10-2005 changing Volunteer Day to October 26, 2005**, which has the significance of being the start of the Lewis & Clark Expedition in 1803. Motion seconded by Commissioner Haire and approved 3-0.

Commissioner Haire requested that the record reflect the Board of Commissioners had set an executive session with the County Council concerning staffing of the jail which could not take place because the council did not publish the meeting time.

At the recommendation of Mr. Moore the Board directed the attorney to prepare and send a letter to the Clark County Council concerning the staffing of the jail and prisoner expenses. The entire Board will sign the letter.

Commissioner Haire moved to approve the meeting dates for calendar year 2006. Motion seconded by Commissioner Guthrie and approved 3-0. (See Attached)

Commissioner Meyer reported that Bliss McKnight, the county's liability insurance carrier recommends that the county require anyone who operates or occupies a County owned vehicle be required **to wear a seat belt**. Commissioner Haire moved to adopt this into the county's personnel policy. Motion seconded by Commissioner Guthrie and approved 3-0.

Commissioner Meyer reported to the Board the results of the exit conference with the State Board of Accounts. One notation of the conference was regarding requiring all days worked, vacation, sick or any leave to be on the payroll voucher when it is submitted to the Auditor for payment. County Auditor, Barbara Bratcher Haas had prepared a letter to be delivered to each elected official and department head concerning this matter. Ms. Haas requested the Board's permission to attach this letter to the pay check of each elected official and department head. Commissioner Haire moved to approve the request which was seconded by Commissioner Guthrie and approved 3-0.

Another notation was concerning the test required by IDEM (Indiana Department of Environmental Management) for closing of the Landfill. County Auditor, Barbara Bratcher Haas advised the Board that she had been in contact with Jacobi, Toombs & Lanz who was preparing the required paperwork to submit to IDEM.

The Auditor presented the Board with a copy of the monthly report of the County Treasurer for the month ending October 31, 2005 to be entered into the record.

At the recommendation of the Drainage Board, Commissioner Haire moved to appoint **Julie Mc Coy and Steve Hall as members to the Drainage Board**. Motion seconded by Commissioner Guthrie and passed 3-0. The Board directed Angela Coleman to send a letter to Harold Hart and Sharon Wilson thanking them for their service.

Commissioner Meyer reported that Charles Garmon has submitted his resignation from the Planning and Zoning Board. Ms. Coleman was directed to include a letter to Mr. Garmon extending the Board's appreciation for his service.

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 Guthrie, seconded by Commissioner Haire, 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