

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

RESOLUTION NO. 5 - 2012

A RESOLUTION DECLARING CERTAIN CONDITIONS RESULTING FROM RECENT TORNADO DAMAGE TO CONSTITUTE AN IMMINENT THREAT TO IMPROVED PROPERTIES THEREBY REQUIRING EMERGENCY REMEDIAL ACTIONS.

WHEREAS, this Board of Commissioners of Clark County, Indiana (this "Board"), is the executive body of Clark County government pursuant to the provisions of IND. CODE § 36-2-2-2; and,

WHEREAS, unincorporated territories in Clark County, Indiana, including without limitation, Daisy Hill (Borden), Henryville, Marysville, and Otisco, suffered severe damage from tornados that struck the area on March 2, 2012 (the "Event"), including the deposit of storm damage debris in several creeks, including without limitation, Miller Fork, Silver Creek, Clegg Creek, and the West Branch of Fourteen Mile Creek (the "Impacted Creeks"); and,

WHEREAS, this Board, through both direct observation and through reports from property owners supported by the opinion of its professional consultants, has knowledge that certain conditions within the Impacted Creeks pose an imminent threat of causing flooding that if not remediated will cause significant damage to improved properties; and,

WHEREAS, this Board now adopts this Resolution for purposes of declaring such conditions to constitute an imminent threat to improved properties requiring action on an emergency basis to abate such threat.

NOW, THEREFORE, BE IT RESOLVED by this Board of Clark County Commissioners as follows:

1. Declaration of Emergency. Pursuant to authority delegated by IND. CODE § 10-14-3-29, this Board hereby declares the conditions of limited areas within the Impacted Creeks identified in the list attached hereto as Exhibit "A" to constitute an imminent threat to improved properties requiring the immediate removal of debris that would otherwise cause flooding to the detriment of such properties.

2. Authorization of Remedial Actions. This Board hereby authorizes the County Highway Department and any contractor retained by this Board to immediately take the actions reasonably required to remove tornado damage debris from the limited areas of the Impacted Creeks listed on attached Exhibit "A" on an emergency basis.

3. Effective Date of Resolution. This Resolution shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

[Signature Page Follows]

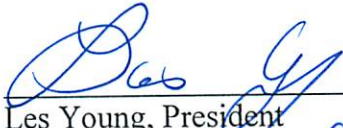
So Ordained this _____ day of March, 2012.

**BOARD OF COMMISSIONERS
OF CLARK COUNTY, INDIANA**

Members voting "NO":

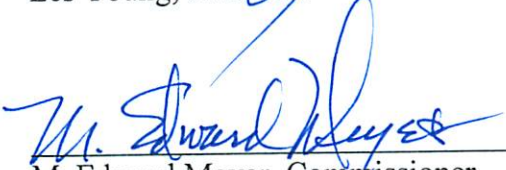
Members voting "YES":

Les Young, President




Les Young, President

M. Edward Meyer, Commissioner




M. Edward Meyer, Commissioner

John D. Perkins, Commissioner



John D. Perkins, Commissioner

Attested by:



R. Monty Snelling, Clark County Auditor

Bridge at Front Street Upstream to Highway 31



Heavy vegetative debris (95%) and mixed C&D (5%) has clogged the creek near the Front Street bridge and Highway 31. The bridge, roads, and surrounding homes are in danger of flooding during upcoming rain events unless adequate drainage is restored. This is necessary to protect public health and safety in the surrounding area.

EXHIBIT "A"

Creek between Front St. and Pennsylvania Ave.



Heavy vegetative debris (95%) and mixed C&D (5%) has clogged the creek at both the Front St. and Pennsylvania Ave. bridges. Bridges, roads, and surrounding homes are in danger of flooding during upcoming rain events unless adequate drainage is restored. This is necessary to protect public health and safety in the surrounding area.

Henryville-Otisco Rd. Bridge



Bridge on Henryville-Otisco Rd. is threatened by heavy vegetative debris. The bridge, road, and nearby homes are in danger of flooding during upcoming rain events unless adequate drainage is restored. This is necessary to protect public health and safety in the surrounding area.