

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY INDIANA  
NOVEMBER 5, 2004**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on November 5, 2004 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Vicky Kent Haire and David Lewis, County Auditor Barbara Bratcher Haas, 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.

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. County Auditor Haas drew the Board's attention to three entries on the payroll list that required the Board's consideration. Auditor Haas also, reminded the Commissioners that there is no approved appropriation against which to charge the amount and there is no approved levy from which to pay claims. At the recommendation of County Attorney Scott Lewis a motion was made by Commissioner Lewis to approve the payroll claims as submitted, pay entry no. one (1) wait on no. two (2) and no. three (3) of the three added entries of this payroll. The motion was seconded by Commissioner Haire and passed 2-0.

A motion was made by Commissioner Lewis to approve and sign a contract with **River Hills Economic Development District** for Professional Administrative Services on the Lifespring Turning Point Expansion Planning Project **Community Focus Grant** with River Hills Economic Development District in the amount of one thousand seven hundred twenty dollars (\$1,720.00) which will be paid by Lifesprings. The motion was seconded by Commissioner Haire and passed 2-0.

**Ms. Laura Dixon, River Hill Economic Development District**, reported to the Board that the Department of Commerce will conduct a site visit on the **Childplace Planning Grant** at two thirty in the afternoon on November 23, 2004.

At the recommendation of **Melissa Woods, River Hills Economic Development**, a motion was made by Commissioner Lewis to approve and sign the CDBG Disclosure Report on the **Center for Lay Ministries Grant # CF-02-132** in the amount of four hundred ninety thousand dollars (\$490,000.00). The motion was seconded by Commissioner Haire and passed 2-0.

**Judge Vicki Carmichael Cooper** appeared before the Board with an update from the Community Corrections Advisory Board. Judge Carmichael reported that that the Advisory Board did, as approved by the Board of Commissioners in June, apply for a grant from the **Indiana Department of Corrections**. The grant is for an indefinite time in the amount of nine hundred sixty one thousand two hundred eighty two dollars (\$961,282.00) to cover salaries, supplies and funds to repay a loan for renovation or new construction. Judge Carmichael also reported that at a presentation on sprung building the members of the Advisory Board learned that one of these buildings can be up and running in four months. Commissioner Lewis made a motion to approve utilizing land leased by the 4-H for this project subject to whatever legality that has to be met. The motion was seconded by Commissioner Haire and passed 2-0.

**Sheriff Michael Becher** was next on the agenda and also addressed the Board in regard to a solution to the jail overcrowding. Sheriff Becher stated that he has three hundred fourteen (314) inmates in the jail at this time and reminded that he and the Commissioners signed a contract to not exceed two hundred thirty eight. Sheriff Becher recommended that the Commissioners buy or lease land to put one of the sprung buildings on. Sheriff Becher also stated that he intends to transport eighty (80) inmates to Henderson Kentucky at thirty five dollars (35) per day. No action was taken by the Board.

**Jim & Marilyn Utley** were next on the agenda but were not present at the meeting.

**Mr. Charlie Day** and **Mr. Scott Minnich, DLZ Engineering**, appeared before the Board with an update on the **Leon Prall Road Bridge Project**.

A motion was made by Commissioner Lewis to approve and sign an **agreement** between the State of Indiana and the Board of Commissioners for project # **STP-9910 (030) Des#: 0400935 Salem Noble Road from SR 62 to SR 403**. This agreement will allow the Board of Commissioners to participate in the preliminary engineering on this project. The motion was seconded by Commissioner Haire and passed 2-0.

Commissioner Lewis made a motion to approve and sign an agreement between Clark County and **Jacobi, Toombs and Lanz, Inc.** for preliminary engineering services for **Project No. STP-9910(030) Des#: 0400935 Salem Noble Road from SR 62 to SR 403**. The motion was seconded by Commissioner Haire and passed 2-0.

A motion was made by Commissioner Lewis to approve and sign an agreement with **Farrar, Garvey & Associates** for resident project construction engineering on **bridge no. 34, Charlestown-New Market Road over Nine Penny Branch, Charlestown Township; Project No. BRS-9310(026), Des. No. 9982410, Contract No. B-27260**. The motion was seconded by Commissioner Haire and passed 2-0.

At the recommendation of County Engineer Hyun Lee, Commissioner Lewis made a motion to approve and sign a request for engineering proposals for engineering services on rehabilitation of **St. John Road**. Commissioner Haire seconded the motion and it passed 2-0.

Upon the recommendation of County Engineer Hyun Lee, Commissioner Parker made a motion to accept **Whispering Oaks Subdivision, Section No. 1** to the **Clark County Highway System**. The motion was seconded by Commissioner Lewis and passed 3-0. **(See a copy of the letter attached.)**

County Engineer Hyun Lee presented the Board with a list of the items to be sold at the **County Auction** to be held November 6, 2004.

Commissioner Lewis made a motion to **approve Ordinance 16-2004 (An Ordinance Adopting the County of Clark, Indiana Employee Policy Handbook)**. The motion was seconded by Commissioner Haire and passed 2-0.

Commissioner Lewis made a motion to approve **Ordinance 17-2004 (An Ordinance Adopting the County of Clark, Indiana Highway Policy Handbook)**. The motion was seconded by Commissioner Haire and passed 2-0.

Commissioner Lewis made a motion to approve **Ordinance 18-2004 (An Ordinance Adopting the County of Clark, Indiana Highway Department and Commissioners' Office Position Descriptions)**. The motion was seconded by Commissioner Haire and passed 2-0.

County Auditor Barbara Bratcher Haas questioned if all the office holders were sent a draft copy of the **county handbook** for their review. President Haire stated that they were sent copies and given an opportunity to respond.

At the recommendation of County Attorney Scott Lewis, a motion was made by Commissioner Lewis to accept, adopt and sign a contract between **SBC Global Services, Inc.** and Clark County for phone service. The motion was seconded by Commissioner Haire and passed 2-0.

County Attorney Scott Lewis advised that the contract with **Micro Focus** for software and service in the amount of twelve thousand four hundred dollars (\$12,400.00) did not include a license fee of five thousand six hundred dollars (\$5,600.00). At the approval of County Attorney Lewis, 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 five thousand six hundred dollars (\$5,600.00) for the additional amount of the contract. Commissioner Lewis then made a motion to declare 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 five thousand six hundred dollars (\$5,600.00) for the additional amount of the contract. The motion was seconded by Commissioner Haire and passed 2-0.

At the recommendation of **Matt Dyer, Clark County Systems Administration**, Commissioner Lewis made a motion to contract with **T-1 Service** for internet access in a yearly charge of six thousand two hundred eighty eight dollars (\$6,288.00) for three years. Commissioner Haire seconded the motion and it passed 2-0. (**See a copy of the contract attached.**)

**Mr. Albert Lee Sweeney Jr.** along with **Mr. Paul Premevera, RLS**, addressed the Board in regard to the approval of **drainage grates** in a subdivision that Mr. Sweeney is developing. County Engineer Hyun Lee stated that he was concerned about the grates that Mr. Sweeney used in the project. Mr. Sweeney presented pictures of the same grates being used on **Perry Crossing Road Project** and questioned why County Engineer Hyun Lee stated that he would have to remove them from his project. Mr. Premevera stated that his firm had done the calculations and the grates used by Mr. Sweeney are better than the ones required by the County because they are placed close together. Commissioner Lewis stated that he spoke to **Mr. Harold Hart**, President of the Clark County Drainage Board, who stated that if these drains are good enough for Perry Crossing Road, then it is good enough for this subdivision. Mr. Lee stated that he is concerned that the drawing does not match what is actually at the site. When Mr. Lee asked for legal advice from County Attorney Scott Lewis, Mr. Lewis advised that the **County Ordinance** states that equivalent types can be used with the approval of the County Engineer. Commissioner Lewis made a motion to approve the drains as they are as long as the drawing is changed to match the site and Mr. Sweeney and Mr. Premevera meet with Mr. Lee to work this out. The motion was seconded by Commissioner Haire and passed 2-0.

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