REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
OCTOBER 19, 2006

The Board of County Commissioners of Clark County, Indiana met in Regular Session on October 19, 2006 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Edward Meyer, Vicky Kent Haire, Attorney Daniel Moore, Secretary Kristi James, and

Attorney David Lewis gave an update on the **Hoosier Energy**
Project. Mr. Lewis reported that they received approval on the one hundred

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Commissioner Haire made a motion to approve and sign a change in compensation and payment with **Fuller, Mossburger,Scott and May Engineering, Incorporated** in the amount of one hundred five thousand dollars ($105,000) for time and materials and one hundred forty thousand dollars ($140,000) for labor, overhead, profit, reimbursable expenses and engineer's consultant charges for stormwater drainage. The motion was seconded by Commissioner Meyer and passed 2-0.

After an update from **Mike Harris, Jacobi, Toombs and Lanz**, on the Clark County Landfill, Commissioner Haire made a motion to approve and sign a General Engineering Services Agreement with Jacobi, Toombs and Lanz. The motion was seconded by Commissioner Meyer and passed 2-0.

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

Mr. Gary Gilmore, Developer of Boulder Creek Subdivision, asked the Board for clarification on the Board's action at the meeting of October 4, 2006 meeting where they moved to grant a waiver and release from further compliance or performance under the subdivision control ordinance, further repairs, mud problems, snow and ice removal and all other maintenance. Mr. Moore recused himself because Mr. Gilmore is a client of his private business. For clarification the Commissioners and Mr. Lee agreed that everyone involved in this taking by the State should be treated equally. Upon a motion by Commissioner Haire, seconded by Commissioner Meyer and approved unanimously, the Commissioners moved to amend the minutes from the meeting of October 4, 2006 to state that Mr. Gilmore is required to finish (if not done already) only those sections of section 1 of Boulder Creek that are not being taken by the State.

Mr. Gary Gilmore, Developer of Boulder Creek Subdivision, requested that the Board consider an action to vacate the roads and release the plat for Estates of Boulder Creek Subdivision since there hasn't been any development because the State will put the road through the middle of the subdivision. Upon a motion by Commissioner Haire, seconded by Commissioner Meyer and approved unanimously, the Commissioners moved to take this under advisement until the Mr. Gilmore made his specific request to this effect which will be held November 2, 2006.

Commissioner Haire reported that she received a call from Charlestown Mayor Hall offering free housing for the **Emergency Management Office** at the **Saint Mary's Hospital Facility.**

County Engineer Hyun Lee introduced **Eric VanHoven, Bridge Inspector for Bridge # 34**, who gave an update and reported that the road would reopen September 30, 2006. Mr. VonHoven also reported that construction of **Bridge # 70** on Clark and Floyd County line should be open by the end of October 2006.

Upon a motion by Commissioner Haire, seconded by Commissioner Meyer and approved unanimously, the Commissioners moved to approve and sign **Indiana Department of Transportation Change Order # 3 on Bridge # 34 Charlestown Road** over Nine Penny Branch.

Commissioner Haire made a motion to approve and sign an interlocal agreement with the **Sellersburg Fire Department** for paving the fire department parking lot. The motion was seconded by Commissioner Meyer and passed 2-0.

Commissioner Haire made a motion to approve the legal publication for the **annual highway bid opening** for December 1, 2006. The motion was seconded by Commissioner Meyer and passed 2-0.

Upon a motion by Commissioner Haire, seconded by Commissioner Meyer and approved unanimously, the Commissioners moved to change the November 30, 2006 **meeting date** to December 1, 2006 at four o'clock P.M.

Mr. Brent Roberts, Butler, Fairman & Seufert, gave a proposal for the rehabilitation/reconstruction of **Clark County Bridge # 63 Elrod Road.** This bridge is the last truss bridge in Clark County. Upon a recommendation by County Engineer Hyun Lee, and upon a motion by Commissioner Haire, seconded by Commissioner Meyer and approved unanimously, the Commissioners approved and agreed to contract with Butler, Fairman & Seufert for phase one of the project which is an analysis of the structure.

Chris Murphy, American Consulting Engineers, was asked by County Engineer Hyun Lee to speak regarding the approach for the interchange from State Road 62 to proposed bridge over the Ohio River in the area of Utica. Mr. Murphy said that they are part of the design team selected by **INDOT.** Mr. Murphy reported that they have completed the field survey as they were contracted and have been selected by INDOT to do the design. Upon a motion by Commissioner Haire, seconded by Commissioner Meyer and approved unanimously, the Commissioners approved to send a letter to INDOT requesting an update on the progress of the project.

A motion was made by Commissioner Haire to approve and sign a request for **additional appropriations** for general liability insurance in the amount of three hundred fifty eight thousand six hundred thirty five dollars ($358,635.00). The motion was seconded by Commissioner Meyer and passed 2-0.

Upon a motion by Commissioner Haire and seconded by Commissioner Meyer 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 one hundred sixty one thousand three hundred two dollars and thirty two cents ($161,302.32) for contract payments, care of inmates, supplies and utilities/jail. The motion passed 2-0 and the Board instructed Secretary Kristi James to file the proper paperwork in the Auditor's Office.

The Commissioners instructed the County Auditor to prepare a letter and attach it to the paychecks of the **Office Holders** and the **Department Heads** asking if they have an objection to changing the 2007 holiday schedule of time off to reflect December 24, 2006 off instead of December 26, 2006.

Upon a motion by Commissioner Haire, seconded by Commissioner Meyer and approved unanimously, the Commissioners gave permission for Mr. Moore to represent the interest of a **Superior Court # 2 Probation Officer** in court concerning a discovery in a criminal case.

In regard to a letter of opinion concerning an **Ordinance** of the County in connection with a 2003 contract for emergency medical ambulance service, Mr. Moore stated that in his opinion the ordinance prevails. Commissioner Haire made a motion to follow the ordinance as it stands. Commissioner Meyer seconded the motion and it passed 2-0.

Upon a motion by Commissioner Haire, seconded by Commissioner Meyer and approved unanimously, the Commissioners appointed Commissioner Guthrie to represent the Board in negotiations with **Lifesprings** regarding a contract for jail services.

The August expenditure report from **London Witte Group** concerning the expenditures from the jail project was entered for the record.

Mr. Moore presented the Board with a letter from **Joe Olson** asking the Commissioners to approve an outstanding bill for two hundred fifty dollar ($250.00) medical bill which was incurred prior to the fully insured plans effective date that should have been paid out of the partially self funded plan. Upon a motion by Commissioner Haire, seconded by Commissioner Guthrie and approved unanimously, the Commissioners approved payment from the self insured health fund # 626.

Commissioner Haire made a motion to approve and sign **Commissioner's Ordinance 10-2006** (An Ordinance Creating Local Non-Reverting Fund to Support Help America Vote Act). The motion was seconded by Commissioner Meyer and passed 2-0.

Upon a motion by Commissioner Haire, seconded by Commissioner Meyer and approved unanimously, the Commissioners approved **Commissioner's Ordinance 12-2006** (An Ordinance Creating a Local Drug Free Community Grant Fund).

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Upon a motion by Commissioner Haire, seconded by Commissioner Meyer and approved unanimously, the Commissioners approved **Commissioner's Resolution 7-2006** (A Resolution Requesting Local Building Authority to Begin Planning and Work for Repair and Renovation on Interiors and systems in County Government).

Commissioner Haire made a motion to approve and sign an agreement with **Bernardin, Lockmuller and Associates, Inc.** for right of way services to include management and supervision, appraising, review appraising and buying on of the **Perry Crossing Road Project.** The motion was seconded by Commissioner Meyer and passed 2-0.

Brian Dixon, Dixon Engineering, gave the Quarterly Storm Water Coordinator Report for the third quarter of 2006 and that they had a meeting of the stormwater action advisory committee at which time they set a policy that there must be a representative on site when a stormwater inspection is done. Commissioner Haire made a motion to accept the report as submitted. Commissioner Meyer seconded the motion and it passed 2-0.

Upon a motion by Commissioner Haire, seconded by Commissioner Guthrie and approved unanimously, the Commissioners voted to keep Commissioner Meyer in charge of the Barthold sign matter.

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.

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