

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
APRIL 19, 2007**

The Board of County Commissioners of Clark County, Indiana, met in Regular Session on April 19, 2007, in Room 404, Clark County Government Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Edward Meyer, Ralph Guthrie and Mike Moore, County Attorney Daniel Moore, Secretary Kristi James and Deputy Auditor Theresa James.

The minutes from the meeting of March 8, 2007 and March 22, 2007, 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 Moore 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 with the exception of a claim for funds to reimburse an employee's credit card for food during an audit. A motion was made by Commissioner Moore to approve the vendor claims with the exception of the claim for reimbursement until the Board receives more information. The motion was seconded by Commissioner Guthrie 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 proper official has affixed a signature stating that the hours have been worked and the amounts are due. A motion was made by Commissioner Guthrie to approve the payroll claims as submitted. The motion was seconded by Commissioner Moore and passed 3-0.

Kathy Eaton, Indiana Department of Transportation, spoke to the Board regarding the Local Federal Aid Program and reported that in the future when the County applies for federal aid, the submittal will not be reviewed by the **Indiana Department of Transportation**. The Commissioners referred Ms. Eaton to County Engineer Hyun Lee who handles federal aid applications. Ms. Eaton's visit was for information only, no action was taken by the Board.

The Auditor's Office provided proof of publication for the opening of sealed bids for seven new dump trucks. Attorney Moore opened the bids and checked for bid bonds as follows:

Bob Hook Chevrolet	cashier's check included
Uhl Truck Sales	bid bond
Petterson Truck Center	cashier's check included
Allstate Ford	bid bond
Kentuckiana Premier Truck Center	bid bond
Uebelhor & Son, Inc.	cashier's check included
Kentucky Truck Sales (6)	bid bond
Peterbilt of Louisville	cashier's check included

At a motion by Commissioner Moore, seconded by Commissioner Guthrie, and a vote of 3-0, the Board moved to take the bids under advisement and make them available to the public for review.

Donnie Timberlake, James L. Shireman, Inc. gave an update on the third floor jail construction project and made a request for the Board to approve a change order for the following changes:

Parco

CO # 61 Revised nite-lite ballasts in the cells of area "B".	\$5,835.00
CO # 64 Sturctural revisions area "A" to area "B".	\$5,707.00
CO # 74 Add wore glass in security frames.	\$10,135.00
CO # 80 Fire caulking existing Area "B"	\$230.00
CO # 85 Add columns wrap to cover existing communications conduits	\$1,653.00
CO # 86 Swith hand on slider doors and frames in the basement area.	
CO # 89 Add swing gate to stair "B" per Bldg. Code.	\$2,368.00
CO # 91 A Added casework to room 104	\$1,442.00
CO # 91B Added casework to room 102	\$10,741.00
CO # 93 Add GWB bulkhead soffit in corridor 130.	\$2,585.00
CO # 94 Patch and repair existing doors and frames in the basement.	\$487.00
CO # 95 Remove existing base, patch and paint walls in the basement area.	\$1,225.00
CO # 96 Repair walls behind existing walk-ins in the basement area.	\$922.00
CO # 97 Extend screen walls rooms 036,039,040,048	\$1,283.00
	Total \$48,144.00

CO # 50 Remove and re-install lights in the basement. \$838.00

CO # 51 Remove and add 6 exit signs in area "B" and "C" \$4,965.00

Total \$5,803.00

Commissioner Moore made a motion to approve and sign the change order. The motion was seconded by Commissioner Guthrie and passed 3-0.

Shirley Nolot attended the meeting representing the **Borden Starlight Visitor's Association** with a request for an opportunity to add their input in the new county zoning plan because they want to preserve their rural heritage. Commissioner Meyer informed Ms. Nolot that the Commissioner's contact person is Matt Schaffer and agreed to ask Mr. Schaffer to contact Ms. Nolot.

At the recommendation of **Clark County Insurance Agent of Record Joe Olson**, Commissioner Moore made a motion to change the **Employee Handbook** to reflect a thirty day window for retirees to opt to take the county insurance when they retire and authorize Commissioner President Meyer's signature outside the meeting. Mr. Olson volunteered to draft an attachment for Auditor Haas to attach to the paychecks of office holder's and department head's notifying them of the change. The motion was seconded by Commissioner Guthrie and passed 3-0.

Upon a motion by Commissioner Guthrie and seconded by Commissioner Moore, and a vote of 3-0, 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 forty-five thousand dollars for a contract with **Jacobi, Toombs and Lanz, Inc.** for services of review and recommendations on county commissioner's districts and the county council's districts. Attorney Moore confirmed that constitutional law requirements are inherent in the districting function.

A motion was made by Commissioner Guthrie and seconded by Commissioner Moore to approve and sign **Commissioner's Ordinance 6-2007 (An Ordinance Forming and Creating the Clark County Rainy Day Fund)**. The motion was passed 3-0.

A motion was made by Commissioner Guthrie to approve and sign **Amendment # 1 Prenatal Substance Use Prevention Agreement, Amendment # 1 to the existing HIV/AIDS Services Agreement and the HIV Substance Abuse Program Grant Agreement.** Mike Meyer stated that the contracts have been reviewed by **Attorney for the Health Department Jim Kaiser.** The motion was seconded by Commissioner Moore and passed 3-0.

Cheryl Stuppy, Lavoice Davis and Betty Caldwell from **Lifesprings** addressed the Board regarding services provided to the Jail and submitted a contract for the Board's consideration. Mr. Davis informed the Commissioners that they do not have a contract in place for the services but have continued to provide forty hours (40) of service per week for the last three years as well as free medication samples. The Board stated that the County Council did not include the **Lifespring Contact** in the County Budget. Because the Commissioners do not have funding in place, Commissioner Guthrie made a motion to take this under advisement and attend the June 9, 2007 County Council meeting with a request for additional appropriation in the amount of two hundred twenty eight thousand two hundred sixty five dollars (\$228,265.00) to pay for 2005 and 2006. The Board requested that a representative from Lifesprings also attend the meeting of the County Council when they make the request. The motion was seconded by Commissioner Meyer and passed 2-0-1 with an abstention from Commissioner Moore.

Paul Graf and Dan Christiani, 4-H Fairboard Members, attended the meeting with a recommendation for a sublease of one and one half to two acres on 4-H Property effective April 30, 2007. The revenue from the lease is to go to the 4-H Property. Upon a motion by Commissioner Moore, seconded by Commissioner Guthrie and unanimously carried, the Commissioners voted to approve the lease.

Mr. Bob Morrison, a resident of **Bethlehem** attended the meeting to respond to the report from Tony Semones, Clark County Planning and Zoning. As requested by the Commissioners, Mr. Semones did a site inspection at the **Bethlemen Sand & Gravel Site** and gave a report at the meeting of October 19, 2006. Mr. Morrison stated that he was not satisfied with the report and that the homeowners have hired Attorney Vissing as legal council to represent them.

At a motion by Commissioner Guthrie, seconded by Commissioner Moore, and a vote of 3-0, the Board voted to hold a special meeting at 5:00 P.M. on April 24, 2007 for a presentation from **Hal Kovert** on the distribution of available office space due to Jeffersonville's relocation to the new office building. The Board instructed Secretary Kristi James to send letters to the Office Holder's and Judges located in the County Government Building.

Ryan McGregor, Community Corrections, gave the **Community Corrections Report** and made a request that the Board approve and sign the **Community Corrections Grant Act Amendment # 1** for the operations of a community corrections program. Commissioner Moore made a motion to take this **Community Corrections Grant Act Amendment** under advisement until the next meeting. The motion was seconded by Commissioner Guthrie and passed 3-0.

Attorney Moore submitted a **memorandum** pertaining to **The Board of Aviation** for the record.

The May 17, 2007 AIC District Meeting, which is open to the public, was announced by Attorney Moore at the meeting.

At a motion by Commissioner Guthrie, seconded by Commissioner Moore and a vote of 3-0, the Board voted to ratify the appointment of **Les Wright** to the **Clark County Regional Water District**.

At the recommendation of the Health Board, Commissioner Guthrie made a motion to appoint **Natterlin, Terry** to **The Health Board**.

County Engineer Hyun Lee introduced **Ms. Rachel A. Doba, Business Development Director** and **Mr. Greg Rominger, P.E. Transportation Services Burgess and Niple. Ms. Doba and Mr. Rominger** gave a brief presentation on their company and asked to be considered by the Board for future projects in Clark County.

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At a prior meeting, at the recommendation of County Engineer Hyun Lee, a motion was made by Commissioner Guthrie and seconded by Commissioner Moore to select **Farrar, Garvey and Associates, LLC** as first choice and **Bernardin, Lockmueller & Associates** as seconded choice for engineering services on the work on **Bethany Road** from **Highway 62** to **Highway 403** which is set to begin October 2008. At this meeting a motion was made by Commissioner Guthrie to make a change to have **Bernardin, Lockmueller & Associates** as the first choice and **Farrar, Garvey and Associates, LLC** as second choice for the above mentioned services. The motion was seconded by Commissioner Meyer and passed 2-0-1 with an abstention by Commissioner Moore.

Upon the recommendation of County Engineer Hyun Lee, Commissioner Guthrie made a motion to accept Section one of **Columbus Lake Subdivision** into the Clark County Highway System subject to a two year maintenance bond. The motion was seconded by Commissioner Moore and passed 3-0.

Upon the recommendation of County Engineer Hyun Lee, Commissioner Guthrie made a motion to accept **Lewis and Clark Subdivision Section 1** into the Clark County Highway System subject to a two year maintenance bond. The motion was seconded by Commissioner Moore and passed 3-0.

At the recommendation of County Engineer Hyun Lee, Commissioner Guthrie made a motion to purchase a **John Deer Tractor** with mower (bushwacker) as a replacement for a tractor used by Clark County Highway Department District One. The motion was seconded by Commissioner Moore and passed 3-0.

Mr. Brent Roberts, Butler, Fairman & Seufert, returned with the analysis of the structure of **Bridge # 63 Elrod Road** requested by the Board on October 19, 2007. Commissioner Guthrie stated that originally they thought that the Bridge might be a historical bridge, but has since learned that it is not. At the recommendation of Mr. Lee, Commissioner Guthrie made a motion to build a new full replacement for the bridge instead of rehabilitation. The motion was seconded by Commissioner Moore and passed 3-0.

At the suggestion of Attorney Moore, in order to simplify the **bid openings**, the Board moved to include instructions in the specifications for Clark County Bidders stating to keep the items in a bid package submitted to three items, consisting of the bid, the form 95 and the bid bond or cashier's check.

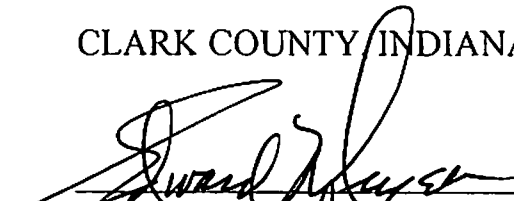
A letter from **Bill Smith, Attorney Board of Aviation**, was submitted for the record. Commissioner Meyer stated that **County Council Attorney Scott Lewis** wanted to create a fund called **The Aviation Local Match Fund**, but any funds created other than budget time would have to be created by the Commissioners. Commissioner Meyer stated that the list of suggestions sent to the Board of Aviation by Commissioner Moore was not necessarily the opinion of the entire Board of Commissioners.

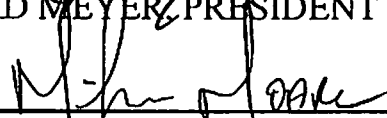
In response to concerns expressed by Commissioner Moore regarding dilapidated properties in the County, Attorney Moore stated that he would get information out to the members of the Board by memorandum and that the enforcement power for such issues generally was with the **Planning and Zoning Office** thru their zoning ordinance.

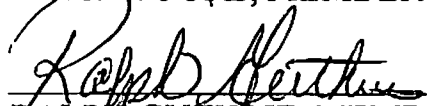
To the extent the Board held an executive session of any type under (I C 5-14-1.5-6) or otherwise, the Board hereby certifies that no subject matter was discussed therein except that posted in the notice for session or meeting (I C 5-14-1.5-6.1).

At a motion by Commissioner Guthrie, seconded by Commissioner Moore and passed 3-0, the meeting was recessed until five o'clock P.M on April 24, 2007.

CLARK COUNTY INDIANA



EDWARD MEYER, PRESIDENT


MIKE MOORE, MEMBER


RALPH GUTHRIE, MEMBER

SIGNED THIS DAY

ATTEST:


BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR