

REGULAR MEETING

CLARK COUNTY BOARD OF COMMISSIONERS

November 20, 2012

The Board of County Commissioners of Clark County, Indiana met in Regular Session on November 20, 2012 at 4:00 p.m. in Room 404, Clark County Government Building, Jeffersonville, Indiana.

Present at the meeting were Commissioners – Les Young, Ed Meyer and John Perkins, County Auditor R. Monty Snelling, County Attorney Greg Fifer, Commissioner Secretary Kristi James and Payroll Clerk Mischell Settles.

Pledge of Allegiance was led by Patti Yount.

Approval of Minutes

County Auditor R. Monty Snelling presented minutes from the November 8, 2012 meeting. Commissioner Perkins made motion to approve. Commissioner Meyer seconded. Motion approved 3-0.

Amendment to the Agenda

A. Commissioner Meyer recognized Chase Kayrouz a student from Jeffersonville High School and Tiffany Yeager from Charlestown High School.

Approval of Claims/Payroll

County Auditor presented claims and payroll for November 28, 2012 for approval as submitted by the officeholders and department managers stating all figures had been signed, verified and funds are available. Commissioner Perkins made motion to approve with the addition of a mileage claim for Commissioner Perkins. Commissioner Meyer seconded. Motion approved 3-0.

Public Comments Relating to the Agenda - None

I. Administrative Agenda

A. Matters tabled from prior meeting:

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1. Assessor Vicky Haire – Addendum to Nexus Contract for Annual Adjustments

B. Sheriff's Business - None

C. Commissioner Perkins stated there were purchase orders submitted from the courts for special public defender for the Commissioners to pay. Commissioner Perkins stated the Commissioners don't have funds to pay the invoices. County Councilmen Brian Lenfert was present and stated in the past if the courts have mandated that type of payment they mandated the Council to pay from such funds as Riverboat. Attorney Fifer stated the courts can mandate the Council to pay but the courts can't mandate the Commissioners to pay the many the mandate.

D. Auditor Report/Comments Auditor Snelling presented the Monthly Clerk of the Courts Report. Commissioner Perkins made motion to enter the reports in the record. Commissioner Meyer seconded. Motion approved 3-0.

F. Attorney Report/Comments Attorney Fifer presented Resolution No. 15-2012 A Resolution Rescinding This Board's Prior Offer To Purchase Certain Real Property From The Greater Clark County School Corporation. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

Attorney Fifer presented Resolution No. 16-2012 A Resolution Authorizing An Interlocal Agreement For The Sale Of Road Salt And/Or Brine Solution To The Greater Clark County School Corporation. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0. Attorney Fifer stated the Interlocal will go to the County Council for approval at their December 10, 2012 meeting.

Attorney Fifer presented Deed of Dedication For Public Right-of-Way from Edward J. Kirchgessner, Mary V. Kirchgessner, Richard D. Williams, III and Theresa M. Williams for public right-of-way commonly known as Kruer Road. Commissioner Meyer made motion to sign the Acknowledgement Of Acceptance Of Dedication. Commissioner Perkins seconded. Motion approved 3-0.

Attorney Fifer presented Resolution No. 17-2012 A Resolution Authorizing An Interlocal Agreement With The Town Of Clarksville For The Relinquishment Of The Bridge Structure At Brown Station Way At Its Intersection With Lewis & Clark Parkway. Commissioner Perkins made motion to approve. Commissioner Meyer seconded. Motion approved 3-0. Attorney Fifer stated the agreement will also need to be approved by the County Council.

Attorney Fifer also presented a Memorandum of Agreement Between The Indiana Department of Transportation And Clark County, Indiana For Transfer Of Old SR 131 Structure #(131X) 131-10-4279A At The Intersection Of Old SR 62 (Brown Station Way). Commissioner Perkins made motion to approve with the date change in section 1.6. Date changes from July 31, 2015 to July 31, 2016. Commissioner Meyer seconded. Motion approved 3-0.

G. Officeholder/Department Heads Present at the Meeting – County Councilmen Brian Lenfert asked to see a draft copy of the Employee Manual.

H. Ratifications and Approvals – None

II. Technical Agenda

A. Nick Batta appeared before the Board to present a draft of the Clark County Transportation Plan. He stated KIPTA was involved in the plan and there were also public meetings held to get public input. He stated document is a draft and asked the Commissioners to look over the document to see if there are any changes they'd like to make. Mr. Batta asked that any changes be submitted before November 30th. Commissioner Meyer stated that the document is an excellent working document and hopes that it is used in the future.

B. Matters tabled from prior meeting – None

C. Hyun Lee presented Change Order No.:004 Contract No: R-30556 for Revised Amazon Truck Entrance in the amount of \$77,085.00. Commissioner Perkins made motion to approve. Commissioner Meyer seconded. Motion approved 3-0.

D. Hyun Lee presented quotes from CivilCon, Bernardin, Lochmueller & Associates and Butler, Fairman and Seufert for engineering services for a new traffic signal near the State Police Post intersection in Sellersburg. Hyun Lee stated he recommends CivilCon. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

E. Hyun Lee stated the traffic ordinance needs to be amended. Commissioner Meyer made motion to allow Attorney Fifer to move forward with drafting the amendment with the inclusion of \$150-\$600 for permits. Commissioner Perkins seconded. Motion approved 3-0.

G. Hyun Lee presented documents from Indiana Department of Transportation-Local Public Agency Project Coordination Contract EDS #: A249-13-320153 Des. No.: 0710003 CFDA No.: 20.205 that was signed November 2007. He stated INDOT is requiring the documents have updated signatures because of minor updates in the documents. Commissioner Perkins made motion to approve. Commissioner Meyer seconded. Motion approved 3-0.

H. Diane Swank, Insuramax appeared before the Board and stated the retirees that are on the Humana Medicare plan premium will remain at \$24.00 per month and spouse's premium will be \$242.00 per month.

Ms. Swank presented the Annual Renewal Form for the Health Reimbursement Arrangements Fee Schedule and the Fee Schedule for Flexible Spending Accounts-Health FSA & Dependent Daycare. She stated employees on High Deductible/Health Savings Account Plans can only participate in the Dependent Care. If employees are not on the County insurance plan they can't participate in the program. She also stated there is a \$2,500.00 pre-tax limit. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

Ms. Swank also presented Accident and Critical Illness/Cancer products for approval. Commissioner Meyer made motion to approve. Commissioner Perkins seconded. Motion approved 3-0.

III. Public Comments - None

Commissioner Meyer presented a letter regarding the Ogle Animal Shelter and River Ridge Payments to enter into the record. Commissioner

Meyer stated he will send copies to the County Council and Jeffersonville City Council.

Commissioner Meyer made motion to add payment to Tidal Basin in the amount of \$113,749.07 for the work during the tornado to claims that were approved earlier. Commissioner Perkins seconded. Motion approved 3-0. Commissioner Young wanted the record to reflect that this is the company that helped the County get paperwork completed and submitted to FEMA and the County has been reimbursed by FEMA.

Commissioner Perkins made motion to recess meeting until 6:00p.m. Commissioner Meyer seconded. Motion approved 3-0.

The Board of County Commissioners of Clark County, Indiana reconvened in Regular Session on November 20, 2012 at 6:00 p.m. in Room 404, Clark County Government Building, Jeffersonville, Indiana.

Present at the meeting were Commissioners – Les Young, Ed Meyer and John Perkins, County Auditor R. Monty Snelling, and County Attorney Greg Fifer.

Commissioner Young asked Attorney Fifer to report on the Board of Aviation Commission meeting that was held prior to this meeting. Attorney Fifer stated there were three Board of Aviation Commissioner members in attendance. They were Mr. Barnes, Mr. Conner and Mr. Vissing. He stated Mr. Gregory and Mr. Halter were not in attendance. Attorney Fifer stated after initial actions of identifying who was and was not in attendance the floor was open for a motion. No motion was offered. The meeting was then adjourned with no action either way.

Attorney Fifer stated a Mr. Beauchamp with the FAA has stated they have made numerous applications for additional grant funds to be able to reduce or fully pay the Dyer judgment as well as some unfunded obligation to Mr. Bellew in case they settled for him. Attorney Fifer stated through the end of this year there is somewhere in the \$300,000.00 range that might be available. They would not receive grant funding for this project this year. Commissioner Perkins asked if the County would have to put in their match. Attorney Fifer said “Yes.”

Commissioner Perkins asked Councilman Lenfert what the County Council feeling on funding the judgment. Councilman Lenfert stated he feels all available options need to be exhausted before the public treasury is

tapped. Commissioner Young asked how much time is left to pay the judgment. Attorney Fifer stated the one year date after the appeal was affirmed is December 14, 2011. Commissioner Young asked Attorney Fifer's recommendation. Attorney Fifer stated he doesn't believe anything is going to change with the current Board of Aviation Commissioners. He also stated the statute states the County Commissioners have the jurisdiction to remove the current Board of Aviation Commissioners upon filing a statement of reason with the Clerk.

Commissioner Meyer stated that the County has one of the most professional airport boards in Indiana and the members on the board are top quality individuals. He stated he feels the judgment idea is the way to go because he thinks the FAA will get the money reimbursed. Commissioner Meyer stated he is not in favor of the lawsuit or firing the Board.

Commissioner Perkins stated in order to save the taxpayers money he supports the lawsuit. Commissioner Perkins made motion to replace Mr. Barnes, Mr. Conner and Mr. Vissing on the Board of Aviation Commissioners. Commissioner Young seconded. Motion approved 2-1. Commissioner Meyer was opposed.

Commissioner Perkins made a motion to replace Ron Barnes Republican with Jim Baker Republican for the remainder of this year and the following two years. Commissioner Perkins made motion to replace Alan Conner Republican with Clay Smith Republican for the remainder of this year and the following year. Commissioner Perkins made motion to replace Mike Vissing Democrat with Tom Galligan Democrat for the remainder of this year. Commissioner Young seconded. Motion approved 2-1. Commissioner Meyer was opposed.

Commissioner Perkins made motion to allow Attorney Fifer to notify the current board members that they have been replaced and notify the new appointees that they have been appointed. Attorney Fifer will also notify the new members there will be a meeting November 26, 2012 at 5:00 p.m. Commissioner Young seconded. Motion approved 2-1. Commissioner Meyer was opposed.

Commissioner Young made motion to reaffirm the lawsuit will continue with Mr. Vissing. Commissioner Perkins seconded. Motion approved 2-1. Commissioner Meyer was opposed.

Commissioner Perkins made motion to adjourn. Commissioner Young seconded. Motion approved 3-0.

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

BOARD OF COMMISSIONERS OF
CLARK COUNTY, INDIANA

LES YOUNG, PRESIDENT

ED MEYER, VICE-PRESIDENT

JOHN PERKINS, MEMBER

SIGNED THIS DAY _____

ATTEST: _____

R. MONTY SNELLING,
CLARK COUNTY AUDITOR