

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA
MAY 23, 2002**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on May 23, 2002 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Raymond Parker, David Lewis and Vicky Kent Haire, Secretary/Administrative Assistant Pam Smith, County Attorney Scott Lewis, County Auditor Barbara Bratcher Haas, 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.

In the first order of business a motion was made by Commissioner Lewis to approve and sign the minutes from the meeting of April 11, 2002. The motion was seconded by Commissioner Haire and passed 3-0.

County Auditor Barbara Bratcher Haas having audited the payroll claims, found them to be in accordance with Indiana Code 5-11-10-2, and submitted them to the Board for approval. A motion was made by Commissioner Lewis to approve and sign said claims as submitted. The motion was seconded by Commissioner Haire and passed 3-0.

A motion was made by Commissioner Lewis to approve and sign an **Extension Contractual Services Agreement** between **Purdue University** and Government of Clark County. **Mr. Dave Trotter** stated that the money for this agreement was appropriated by the Council at budget time. County Attorney Scott Lewis reviewed and approved the agreement. The motion was seconded by Commissioner Haire and passed 3-0.

Ms. Amy Haupt-Jarvis appeared before the Board as a follow-up on the employee preferred compensation that she proposed to the Board in November 2001. Scott Lewis stated that he has reviewed the contract and gives his approval. A motion was made by Commissioner Lewis to take this under advisement until the meeting of June 6, 2002. The motion was seconded by Commissioner Haire and passed 3-0.

Planning and Zoning Ordinance 16-2002 (Barbara and Alex Latuch, Jr.) was called for public hearing. No persons addressed the Board in regard to this ordinance. A motion was made by Commissioner Lewis to concur with the recommendation of the Planning Commission and approve the change from R-2 to B-1 zoning. The motion was seconded by Commissioner Haire and passed.

Planning and Zoning Ordinance 22-2002 (Henry Gilley.) was called for public hearing. No persons addressed the Board in regard to this ordinance. A motion was made by Commissioner Lewis to concur with the recommendation of the Planning Commission and approve the change from A-1 to R-1 zoning. The motion was seconded by Commissioner Haire and passed.

Planning and Zoning Ordinance 33-2002 (Brian L & Stella E. Smith) was called for public hearing. At the request by letter from Mr. & Mrs. Smith, the petitioners, Commissioner Lewis made a motion to table this decision until the meeting of June 20, 2002. The motion was seconded by Commissioner Haire and passed 3-0.

Planning and Zoning Ordinance 34-2002 (Robert Lynn Co. Inc.) was called for public hearing. Mr. Robert Lynn spoke to the Board requesting the zone change from R-2 to Planned Unit Development (PUD). Mr. Art Rehl, 3008 Seminole Dr. Jeffersonville, was first to speak in opposition of this ordinance. Mr. Rehl also presented the Board with a signed petition opposing the zoning change. Mr. Matt Metzger and Mr. Bruce Herdt also addressed the Board in opposition. A motion was made by Commissioner Lewis to concur with Planning Commission and deny approval of the PUD proposal. The motion was seconded by Commissioner Haire and passed 3-0.

Planning & Zoning Ordinance 36-2002 (62 Properties) was called for public hearing. The

Planning Commissioner did not make a recommendation to the Board in regard to this ordinance. **Mr. Alan Applegate, Attorney**, and Mr. Robert Lynn spoke to the Board in favor of the ordinance. Commissioner Lewis read a letter from **Mrs. Ann Marie Galligan** and entered it for the record. Mrs. Galligan's letter requested that the Board either approve the requested zoning change at the meeting or commit on record at the meeting to change the zoning back to industrial, the seventeen acres that was several years ago zoned residential. Letters of support for the rezoning request were submitted by **Mr. & Mrs. Stafford, Watson Rural Water Company and Mr. & Mrs. Wallace Hitt**. A letter from **Ms. Betty Wolf** was submitted stating that she would prefer that the property not remain M-2 heavy industrial. Mr. Lynn stated that he would not develop a subdivision that is accessed by **Stacy Road**. Mayor Galligan spoke to the Board in favor of the zoning change from M-2 to R-1. **Mr. Pat Northam** 5602 Ridgefield Dr. Charlestown, **Mr. Bill Ware**, 8512 Falcon Drive, Charlestown and **Ms. Wolfe** spoke in opposition to the zoning change. A motion was made by Commissioner Lewis to deny the rezoning request. The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Lewis made a motion to approve and sign **Ordinance 9-2002 (Clark County Drainage Board Erosion and Sediment Control Ordinance)**. The motion was seconded by Commissioner Haire and passed 3-0.

Mr. Ken Minett, Butler, Fairman & Leufert, Inc. appeared before the Board with a presentation and a request to be considered for future projects.

Mr. Mike Harris, Skillman Construction Management, was next on the agenda but did not appear before the Board. Mr. Harris left material with Mrs. Pam Smith, Secretary/Administrative Assistant.

Ms. Marsha Conner and **Mr. Jim Cundiff** from the **Southern Indiana Housing Initiative** appeared before the Board. They made a presentation reviewing their Housing needs Assessment for Clark County and presented a copy to each Commissioner. A motion was made by Commissioner Lewis to approve and sign the claim voucher for the final draw on **Grant # PN-000-009 Indiana Housing Finance Authority Community Development Block Grant** in the amount of \$5,000.00. Ms. Conner stated that this will not cost the County any money.

In regard to the request on May 9, 2002 for paving at the **Clark County Fairgrounds**, Mr. Hyun Lee, County Engineer, made a recommendation that the County patch the pot holes at a cost of about three hundred dollars (\$300.00). Mr. Lee presented the Board with a facts and findings sheet. The Commissioners asked Mr. Scott Lewis, County Attorney, to check the lease on the fairground property to determine whether the 4-H Board as the lessee of the property is responsible for the road maintenance. The County's available repaving money is limited, and the condition of the 4-H road is better than other county roads that would list higher on the repaving priority list. Mr. Lee stated that the patch work will be completed before the fair.

At the recommendation of County Engineer Hyun Lee, a motion was made by Commissioner Lewis to award the bid for the construction of **bridge # 46 to Wingham Paving, Inc.** who was the lowest bidder at one hundred thirty-seven-thousand seven-hundred seventy-seven dollars and eighty-six cents (\$137,777.86). The motion was seconded by Commissioner Haire and passed 3-0.

At the recommendation of County Engineer Hyun Lee, a motion was made by Commissioner Lewis to award the bid for construction of **bridge # 106 to Temple and Temple Construction** who was the lowest bidder at fifty-five thousand three-hundred sixty dollars (\$55,360.00). If they hit rock it will be an additional ten thousand dollars (\$10,000.00). The motion was seconded by Commissioner Haire and passed 3-0.

County Engineer Hyun Lee updated the Board on the status of the **Perry Crossing Road** project. Mr. Lee reported that the appraisals are being done now and they are ready to settle with the owners of eleven (11) parcels. A motion was made by Commissioner Lewis to approve the amount to be paid for the rights-of-way for the eleven (11) parcels. The motion was seconded by Commissioner Haire and passed 3-0.

Mr. Lee presented the Board with a copy of **Commissioner's Ordinance 5-1981** for their review and requested that they make changes to bring it up to date. No action was taken.

After being reassured as to its legality by Mr. Lewis, County Attorney, a motion was made by Commissioner Lewis to approve and sign **Commissioners Ordinance 10-2002 (An Ordinance Establishing the Clark County Drug Court User Fee Fund)**. The motion was seconded by Commissioner Haire and passed 3-0.

The Treasurer's monthly report for April and the Clerk's monthly report for April were submitted for the record.

At the recommendation of County Auditor Barbara Bratcher Haas, Commissioner Lewis made a motion to approve the expenditure of funds from the Tax Sale Legal Fee Fund (**Ordinance 9-2001**) to pay Attorney Rebecca Lockard for tax sale legal services. The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Lewis reported to the Board that he attended the meeting of the **Indiana Land Resources Council** at the Discovery Center in Starlight, Indiana. Mr. Lewis is going to contact them to see if they can put him in touch with someone to help us with our new comprehensive plan.

A motion was made by Commissioner Haire to table the appointments until the meeting of June 6, 2002. The motion was seconded by Commissioner Lewis and passed 3-0.

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

RAYMOND PARKER, PRESIDENT

DAVID LEWIS, MEMBER

VICKY KENT HAIRE, MEMBER

SIGNED THIS DAY

ATTEST:

BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR