

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY INDIANA  
January 13, 2005**

The Board of Commissioners of Clark County, Indiana met in Regular Session on January 13, 2005 at 4:00 p.m. in Room 308, of the City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Edward Myer, Ralph Guthrie and Vicky Kent-Haire, County Attorney Dan Moore, County Auditor Barbara Haas and Deputy Auditor Margie Hommel.

Auditor Barbara Haas having audited the payroll claims and found they comply with the local salary ordinance established by the Clark County Council and the signature of the proper official is affixed stating that the hours have been worked and the amounts are due. However, there is no approved appropriation against which to charge the amount and there is no approved levy from which to pay claims. Auditor Haas submitted the payroll claims for the Board's consideration. Commissioner Haire made a motion to approve. The motion was seconded by Commissioner Guthrie and passed 3-0.

Commissioner Meyer requested for a legal opinion regarding Ordinance 2-2004 (An Ordinance Adopting a New Fee Schedule for Planning, Zoning and Establishing the Clark County Planning and Zoning Non-Reverting Fees Fund). Attorney Dan Moore stated he gave legal analyses (see attached) during the Council Budget Sessions in 2004 stating this Ordinance was invalid. Mr. Moore presented a letter from David Nachand the attorney for the Planning Commission agreeing with this opinion (see attached). Auditor Haas stated fees were at this time being receipted into this fund. Commissioner Haire explained the intent of this ordinance was to fully fund a Planning and Zoning Department. Commissioner Haire stated in Hendricks County this type of funding runs the entire Planning & Zoning Department with a million dollar budget and 19 employees. Auditor Haas also informed the Board these fees were used to fund the 2005 general fund budget. Commissioner Haire would like to address this issue with the Council prior to the 2006 budget sessions. Commissioner Meyer made a motion to repeal Ordinance 2-2004. The motion was seconded by Commissioner Guthrie and passed 3-0.

Julie McCoy, Civil Engineer with Bob Issgrigg & Associates, address the Board on behalf of their client Jesse Ballew, with Ballew Enterprises asking the Board to refund a fee paid to the Clark County Planning and Zoning office in February of 2004 for the Emerald City Subdivision Plat containing one hundred and sixty two (162) lots. After submission it was determined that this property fell under the jurisdiction of the City of Charlestown. Commissioner Meyer asked Ms McCoy if Ballew Enterprises would accept a letter of credit in the amount paid of one thousand seven hundred twenty dollars (\$1,720.00) for a term of three years rather than a refund. Commissioner Guthrie made a motion to approve a letter of credit be issued and Authority for President Meyer to sign

outside a meeting if this agreement was acceptable with Mr. Ballew. Motion seconded by Commissioner Haire, and passed 3-0.

Commissioner Meyer presented the Board with a letter and a claim from West Clark Schools in the amount of four hundred forty one dollars and forty nine cents (\$441.49) for damage to the gym floor during the county election held there November 2, 2004. Commissioner Guthrie stated this might be something covered by the county's insurance company. Commissioner Guthrie made a motion to give this claim to Secretary Linda Basham and that it be forwarded to the insurance carrier. Seconded by Commissioner Haire and passed 3-0.

Commissioner Meyer addressed the Board with a request from Clerk, Keith Groth for added election cost of three thousand four hundred twenty six dollars \$3,426.00) for additional ballots for the November 2, 2004. He stated at this time Clerk Groth had no budget from which to pay this invoice. Motion by Commissioner Meyer to approve and pay said claim from Donation Fund B. Seconded by Commissioner Guthrie and passed 3-0.

Commissioner Meyer moved to considered A Resolution Establishing Commissioner Rule of Procedure Concerning Agenda Placement, prepared by Attorney Dan Moore. Motion by Commissioner Meyer to approve **Resolution No. 3-2005 A** Resolution Establishing Commissioner Rule of Procedure Concerning Agenda Placement. Seconded by Commissioner Guthrie, and passed 3-0.

**Huyn Lee, County Engineer**, ask the Board for a signature on a Request for Proposals for Professional Services. This request is for right-of-way and construction services and engineering for Phase II of Perry Crossing Road. Commissioner Guthrie made a motion to approve and authorize the Presidents signature. Seconded by Commissioner Haire, and passed 3-0.

**Hyun Lee, County Engineer** Ask the Board to approve the purchase of three new Ford 150 trucks. These will be replacing vehicles for the Highway department. Mr. Lee has quotes from Jim O'Neil and Carriage Ford. Mr. Lee recommends the trucks be purchased from Jim O'Neil Ford which was the lowest bidder. Motion by Commissioner Haire to approve. Seconded by Commissioner Guthrie, motion carried 3-0.

Commissioner Meyer introduced **an Interlocal Agreement for Road-Related Services with the City of Jeffersonville**. This agreement is for the installation of a traffic signal and turn lanes on Allison Lane at Seminole Drive and Jeffersonville High School. Mr. Lee has reviewed the agreement and recommends the Board approve. Commissioner Guthrie made a motion to approve pending the attorney's approval and for the President to sign outside the meeting. Seconded by Commissioner Haire and passed 3-0. President Meyer directed the attorney to get this to the next possible County Council Meeting.

Attorney Dan Moore presented the Board with several contracts for consideration. A contract to run from January 1 thru December 31, 2005 with Dr. E. Austin Johnson to provide medical services to the inmates of the jail and the juvenile detention center. A contract with Rebecca L. Lockard for attorney services in the areas of ordinance enforcement, unemployment hearings, and animal control issues. The term of this contract will be from January 1, 2005 thru December 31, 2005. A contract for legal services between the Clark County Drainage Board and William A. Dawkins, Attorney. The term being from January 1, 2005 to December 31, 2005. A contract for attorney services with Daniel E. Moore for professional services in areas dealing with the Clark County Jail project, the Boards legal work, the County Sheriffs legal work, the County legal work, liaison work with the Trustee for the jail project and oversight and handling of County litigation files. Mr. Moore's term to run through December 31, 2005. Commissioner Haire made a motion to approve. Seconded by Commissioner Guthrie and passed 3-0.

Auditor Barbara Haas asked the Board's direction on a contract tabled from the previous meeting. The contract for Harold Satterly to be the inspector with the Clark County Plan Commission. After discussion Commissioner Haire made a motion to table until the Board spoke with the plan commission. Motion approved 3-0. After discussion Commissioner Guthrie made a motion to approve pending the approval of Ramona Bagshaw. The president was authorized to sign said contract outside of the meeting. Commissioner Meyer seconded the motion. Motion passed 2-1 with Commissioner Haire voted against. Commissioner Haire moved to withdraw the motion to table the contract, action taken.

Jerry Stephenson from the audience asked to speak. Mr. Stephenson would like to see the County develop a probation assistance program. He stated a large portion of the inmates at this time were there for probation violation. Mr. Stephenson believes public officials and the community need to come together to reduce and resolve this problem. He has worked with a development program called New Life Ministries which addresses the whole person by helping to train, and monitor. It has been widely used in Texas, and through out the country and has been introduced in the Louisville jails. Mr. Stephenson would like to take the next step to introduce the program into Clark County.

Next on the agenda were several Board appointments.

Rex Lockard to the Greater Clark School Corporation Wage Determination Board.

Dr. Terry Pearson to the Community Corrections Advisory Board.

Eddie Combs to the Drainage Board.

Cindy Mueninghoff to the Charlestown Fire Protection District Board.

John Uhl and Mike Killen to the Clark County Plan Commission.

Mark Robinson to INAAP

William Bechort to the Monroe Township Fire Protection

Dale Brown to the New Washington Fire Protection District Board

James Gillenwater Sr, to the Public Safety Corporation

G. Joseph Morgan to the Public Safety Authority Corporation

Jeff Beckort to the Tri Township Fire Protection District Board

Eric Ballengar to the Utica Township Fire Protection District Board  
Mike Ettle as the Animal Disease Coordinator  
Chalene Bottorff and William Stewart to the Convention and Tourism Board  
Joe Olson as the County HIPPA Representative  
Charles White and Bill Scott to the Jeff-Clark Building Authority Board  
SIEDC was not funded this year  
Motion by Commissioner Guthrie to approve all appointments, no terms were discussed.  
Seconded by Commissioner Haire and passed 3-0.

Commissioner Haire reported to the Board on a meeting with Ed Cox in Indianapolis on the Federal Planning Grant for three hundred thousand dollars (300,000.00) She stated in phase II a professional planner must be hired for two years and this must be accomplished by July seventh of this year. She stated she would present this to the County Council for approval of an employee if the Board approves. Commissioner Haire would like to post an application on the web. Commissioner Meyer asked attorney Dan Moore look over this grant.

Auditor Barbara Haas stated she would like to thank Commissioner Meyer for his interest in meeting to discuss the tax billing with her office the tax software vendor from South Bend, the Treasurer, County Assessor, Township Assessor, the County Council President, and any entity of government affected by the delay in tax billing the last two years, and plans to catch up.

Commissioner Haire questioned the Auditor in regard to the tax overpayment letters recently mailed by the Treasurer. Commissioner Haire had been approached by an accountant confused over the requirements to claim this money. The Auditor explained this is also a reassessment problem and said that her office is responsible to see that these monies are applied to the correct parcels and or disbursed to the correct individual.

Dean Boerste and Brian Little with Bernardin, Lochmuller and Associates addressed the Board with a project update on Perry Crossing Road. The project is moving to phase two.

There being no public comment or further business to come before the Board and on a motion made by Commissioner Guthrie, seconded by Commissioner Haire and unanimously carried the meeting was adjourned.

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, INDIANA

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ED MEYER, PRESIDENT

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RALPH GUTHRIE, MEMBER

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VICKY HAIRE, MEMBER

ATTEST:

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BARBARA BRATCHER HAAS  
CLARK COUNTY AUDITOR