

**REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS
CLARK COUNTY, INDIANA
JANUARY 12, 2006**

The Board of County Commissioners of Clark County, Indiana met in regular session on January 12, 2006 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Edward Meyer, Vicky Kent Haire and Ralph Guthrie, County Auditor Barbara Bratcher Haas, Attorney Daniel Moore, Deputy Auditor Theresa James and Secretary Angela Coleman.

The minutes of the September 8, 15, 22, 2005 and October 4, 2005 having been mailed to the Board and the Attorney prior to this meeting, were presented for approval. Commissioner Guthrie moved to approve all minutes which was seconded by Commissioner Haire 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 signature of the proper official is affixed stating that the hours have been worked and the amounts are due. Commissioner Haire moved to approve the payroll claims with the **same exception** from prior meetings. Motion was seconded by Commissioner Guthrie and passed 3-0.

Upon a motion by Commissioner Haire and seconded by Commissioner Guthrie and passed 3-0 the following **appointments** for 2005 were made for calendar year 2006:

Hyun Lee	County Engineer Director
Margie Jenkins	Highway Clerk
Robert Goforth	Assistant Director
Leroy Graebe	Supervisor
John Allen	Supervisor
Joe Carr	Supervisor
Ronnie Dickey	Supervisor
William Milner	Supervisor
Larry Harbin	Supervisor
Angela Coleman	Secretary/Admin. Asst.
Mike Ettels	Animal Control Officer
Adrien Vangilder	Switchboard/Mail Clerk
Matt Dyer	Systems Administration Director
William Clark	Systems Administration Asst.
Weights & Measurers	Henry Dorman
Harold Plumber	Emergency Management Director
Shelby Schafer	Veterans Service Officer
ADA Compliance	Dan Moore
Dr. E. Austin Johnson	Jail Physician

Animal Control Disease Coordinator
Animal Shelter Advisory Committee

Mike Ettels
Mike Ettel

Upon a motion by Commissioner Guthrie and seconded by Commissioner Haire Dan Gregory was appointed to the Board of Aviation Commissioners on a vote of 3-0.

Upon a motion by Commissioner Guthrie and seconded by Commissioner Haire Steve Dean was appointed to the Board of Aviation Commissioners on a vote of 2-1 with Commissioner Meyer voting against.

Commissioner Haire moved to reappoint Dale Robertson to the Charlestown Fire Protection District which was seconded by Commissioner Guthrie and passed 3-0.

Commissioner Haire moved to reappoint Clementine Barthold to the Child Protection Team which was seconded by Commissioner Guthrie and passed 3-0.

Upon a motion made by Commissioner Haire and seconded by Commissioner Guthrie Jan Huff was reappointed to the Clark Floyd Convention and Tourism Bureau on a vote of 3-0.

Upon a motion by Commissioner Haire and seconded by Commissioner Guthrie Steve Hall and Julie McCoy were appointed to the Clark County Drainage Board on a vote of 3-0.

Upon a motion by Commissioner Haire and seconded by Commissioner Guthrie Edwin "Huck" Coots, Mike Becher, Mike Meyer, Bob Rogge, were appointed to the Emergency Management Advisory Council on a vote of 3-0.

Upon a motion made by Commissioner Guthrie and seconded by Commissioner Haire Faye Allen and John Allen were reappointed to Clark County Health Department Board on a vote of 3-0.

Upon a motion made by Commissioner Guthrie and seconded by Commissioner Haire, Richard Crum was reappointed to the Clark Hospital Association Board on a vote of 3-0.

Upon a motion by Commissioner Haire and seconded by Commissioner Guthrie and a vote of 3-0 the following appointments were made:

INDOT Task Force

Terrell Boyd, Anita Fields, David Abbott,
David Schuler, Jr., Dale Orem, Duard
Avery, Jr., and Jill Saegesser, Compliance
Ramona Bagshaw, Vicki Conlin, Alan
Conner, Charles Garmon, Bob Isgrigg,
Benita Pate and John Uhl
Joe Olson

Standing Committee

Insurance Servicing Agent

OSHA	Leroy Graebe
Jail Holding Corporation	Vicki Conlin, Chuck Moore, Jill Oca, Janis Caldwell, Rod Pate and Gus Luckert,

Jail Holding Corp Atty	Charles Gregory Read
Jeffersonville Planning Commission	Bill Gavin
KIPDA	Ralph Guthrie
Monroe Twp. Fire Protection	Jay Cleveland
New Washington Fire Protection	Kathy Jones
Physician Advisory Board	R Wayne Stevens M D
County Plan Commission	Mike Dooley, John Buckwalter and Ed Meyer

Property Tax Assessment Board Of Appeals	Norman Lockard and Robert Jenkins
Public Defender Board	Judy DeSemonne
Public Safety Corp	Glen Driskel
Public Safety Authority	Ed Zastawny
Redevelopment Commission	Elmer Hoehn, Sam Smith, Charles Mills, Charlie Reisert and Read Bailey
River Hills EDC	Charles King and Perry Smith
Solid Waste Management District	Ed Meyer, Ralph Guthrie and Vicky Haire
Southern Seven Workforce	Ralph Guthrie
Utica Twp Fire Protection	Homer Smith
Tri-Twp Fire District	Jerry Adams

Upon a motion by Commissioner Guthrie and seconded by Commissioner Haire, Ed Meyer was elected to be president of the board for 2006 and Vicky Haire vice president. Carried 3-0.

Hyun Lee, Highway Engineer, reported to the Board that every four (4) years it is required to inspect all bridges. The Federal Government pays 80% of the cost. Mr. Lee would like this to begin at the end of March and requested the Board to select three engineering firms from the list to be considered to do the inspection on behalf of the county. Commissioner Guthrie moved to select **Bernardi, Lockmueller and Associates** as number one and United Consultants as number two. Commissioner Haire seconded the motion and it passed 3-0.

Clark County Bridge #20 was scheduled to be replaced, but there were problems with obtaining right of way which required a redesign. County Engineer requested the Board's approval to publish the new notice to bidders for Bridge # 20 on **St. Joe Road W.** (County Line Road) over Elk Run. A motion was made by Commissioner Haire, seconded by Commissioner Guthrie, and passed 3-0, to approve the publication.

At the recommendation of Mr. Hyun Lee, County Engineer, a motion was made by Commissioner Haire to award the 2006 County Highway Bids as follows:

Item # 1 Gasoline & Item #2 Diesel Fuel	to	no bidders open market
Item # 3 Crushed Stone, Slate & Rip Raps	to	Mulzer Crushed Stone and Sellersburg Stone based on location
Item # 4, 5, 6 & 7 Asphalt Emulsion	to	B & G Enterprises
Item # 8 HAC Surface and Binder Base	to	Gohmann Asphalt & Construction and Sellersburg Stone
Item # 9 Cold Mix Asphalt	to	B & G Enterprises, Inc.
Item # 10 Rental of Equipment	to	Gohmann Asphalt & Const. Co.
Item # 11 Pipe Culvert	Round Pipe	CPI Supply
	Arch Pipe	St. Regis
Item # 12 Ready Mix Concrete	to	no bidders open market
Item # 13 Bridge Const/Re-const. Materials	to	open market
Item # 14 Highway Signs	to	open market
Item # 15 Tires & Tubes	to	market price State Bid

The motion was seconded by Commissioner Guthrie and passed 3-0.

Jerry Jacobi, Judge of the Clark Superior Court #1 appeared before the Board regarding a contract for CASA (Court Appointed Special Advocate). Judge Jacobi informed the Board that CASA has Clark County has known it in the past in no longer in existence. A non-for-profit organization known as CASI (Community Action of Southern Indiana) has stepped forward to fill the void. In order for CASI to meet the requirements necessary for the state grant it must be certified. At this point CASI is in the process of obtaining that certification and Judge Jacobi assured the Board that he would not sign any claims to be paid until the certification had been received. The grant amount is thirteen thousand two hundred thirty four dollars (\$13,234.00). The local match is in the budget. Mr. Moore stated that he had reviewed the contract and finds it to be okay. Commissioner Haire moved to sign the contract which was seconded by Commissioner Guthrie and approved 3-0. Judge Jacobi agreed to send a copy of the certification as soon as it is received.

The Board recognized citizens from Boulder Creek Subdivision and heard complaints against the developers concerning tall grass and pot holes. Mark Delmenhorst and Rick Missi stated their complaints on behalf of the residents of Boulder Creek Subdivision. Gary and Ruth Gilmore, the developers, were present and offered a defense to the complaints. A petition was entered into the record. Several exhibits and pictures were entered into the record. County Attorney, Dan Moore mentioned that this area is in the process of being condemned by the State of Indiana and is located in the vicinity of the anticipated bridge across the Ohio River. Commissioner Haire stated that she thinks the county should consider doing the work and charging the cost to the developers bond.

At the previous meeting Mr. Moore agreed to send a letter to Bethlehem Sand and Gravel requesting a representative attend this meeting regarding citizen's complaints. At the request of Bethlehem Sand and Gravel this matter was tabled until the next regular meeting.

The Board entered into the record a letter to Teresa Hemmerle, Department of Local Government Finance, regarding the county's plan to pay the juvenile debt.

There was not a Community Corrections Director's report given at this meeting.

Commissioner Guthrie entered into the record a copy of the list of New Polling Places as a result of the Help America Voter Act. There are seven or eight new locations. Commissioner Guthrie directed Margie Jenkins and Angela Coleman to send letters to the locations affected.

The County Auditor presented the monthly report of the Clerk of the Courts and the County Treasurer for the month December, 2005 to be entered into the record.

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County Auditor Barbara Bratcher Haas reported to the Board the status of the compliance requirement from the Department of Local Government Finance regarding the withholding of State Property Tax Replacement Credit. Ms. Haas distributed a copy of the memorandum from the DLGF which listed the requirements of both the County Assessor and the County Auditor. Ms. Haas stated that the requirement of certifying assessed valuations by August 1 of each year has not been a problem until the delayed reassessment after which everything was late. To meet that requirement will not cause a problem. The second requirement is that the tax data be submitted to the DLGF in a format acceptable to them. LOW Associates the software vendor for the property tax billing is working with the DLGF to accomplish this and four (4) of the auditor's staff are going to a users meeting in Hendricks County to be updated on this matter. The third requirement is that all counties must convert to a uniform parcel numbering system by December 31, 2006. Clark County is not in compliance with this. Ms. Haas stated she had obtained a proposal from one vendor who said it would cost more if the county did not have a GIS (Geographic Information System) System in place. Since the County has a beginning of a GIS System, Ms. Haas is recommending that any funds be spent on getting this system complete and perhaps some of the data entry could be done in house. We can spend \$50,000 and have nothing more than a bunch of numbers or we can spend \$70,000 and have a system that can be of benefit to multiple departments in city and county governments. Non compliance of this will cost the county unit approximately \$2,753,000.00 (two million seven hundred fifty-three thousand dollars) in State Property Tax Replacement Credit. Motion by Commissioner Haire, seconded by Commissioner Guthrie for Ms. Haas to advise the Department of Local Government Finance of the county's intent to comply with this requirement by December 31, 2006. Motion passed 3-0.

At the request of Sheriff Becher, Commissioner Haire Commissioner Haire made a motion to approve and authorize President Meyer's signature on the continuation of the **Domestic Violence Stop Grant**. Sheriff Becher assured The Commissioners that approval and signing would not result in a financial obligation to Clark County. The motion was seconded by Commissioner Guthrie and passed 3-0.

Upon the request of Sheriff Becher, Commissioner Haire made a motion to approve payment of hospitalization insurance for care of inmates in the amount of (\$245,568.00) two hundred forty five thousand five hundred sixty eight dollars. The motion was seconded by Commissioner Guthrie and passed 3-0.

County Attorney, Dan Moore reported to the Board his findings regarding the two mile fringe. Mr. Moore referred to Ordinance 10-2003 rescinding the two mile fringe in the City of Jeffersonville, and suggested a meeting be scheduled with representatives from the City of Jeffersonville to discuss where the boundaries of the fringe actually is located and the respective responsibilities of all involved.

Upon a motion by Commissioner Guthrie and seconded by commissioner Haire Mr. Moore made a part of the record letters to officials in the City of Charlestown requesting proper documentation of the disannexation area of Charlestown. Motion passed 3-0. Mr. Moore recommended that Hyun Lee look into the matter of liability insurance coverage for this area.

Commissioner Haire moved to rescind Resolution 10-2003 "Resolution Approving Transfer of Real Estate, the Approval of the Sale of and Issuance of Bonds, and Approval of the form of Continuing Disclosure Undertaking Agreement for the Clark County Jail Project" and Ordinance 12-2002 "Ordinance Partially Approving the Charlestown Plan Commissions request to Exercise Territorial Jurisdiction over Unincorporated Areas within Two Miles of its Corporate Boundaries (2-mile fringe) (Rescinded by Ordinance 10-2003)" which was seconded by Commissioner Guthrie and passed 3-0.

Commissioner Haire made a motion to rescind Commissioner's Ordinance 10-2003 "Ordinance Partially Approving the Charlestown Plan Commissions request to Exercise Territorial Jurisdiction over Unincorporated Areas within Two Miles of its Corporate Boundaries (2-mile fringe) (Rescinded by Ordinance 10-2003)" and Commissioner's Resolution 12-2002 "Resolution Approving Transfer of Real Estate, the Approval of the Sale of and Issuance of Bonds, and Approval of the form of Continuing Disclosure Undertaking Agreement for the Clark County Jail Project". Commissioner Guthrie seconded the motion and it passed 3-0.

At the recommendation of Mr. Moore, Commissioner Haire made a motion to ratify Commissioner President Meyer's signature on a letter to the United States Army that Commissioner President Meyer signed on January 9, 2006. Commissioner Guthrie seconded the motion and it passed 3-0. See a copy of the letter attached.

Commissioner Haire made a motion to enter into the record, a letter from the Town of Utica regarding water use. The motion was seconded by Commissioner Guthrie and passed 3-0. See a copy of the letter attached.

Commissioner Haire made a motion to enter into the record, a letter from the United States Army. The motion was seconded by Commissioner Guthrie and passed 3-0. See a copy of the letter attached.

Commissioner Haire made a motion to enter into the record, a letter pertaining to the Gilmore matter. The motion was seconded by Commissioner Guthrie and passed 3-0. See a copy of the letter attached.

Regarding the jail lawsuits, Mr. Moore reported that the County spent one million seven hundred thousand dollars housing prisoners in other counties. Mr. Moore recommended some consideration for administrative handling of these lawsuits. Upon the recommendation of Mr. Moore, Commissioner Guthrie made a motion to assign the Underwood lawsuit to Stephenson's Law Firm in Indianapolis. Commissioner Haire seconded the motion and it passed 3-0.

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Commissioner Guthrie made a motion to approve and sign a letter to the Army Corp of Engineers. The motion was seconded by Commissioner Haire and passed 3-0. See a copy of the letter attached.

With approval from the Commissioners, Mr. Moore asked Secretary Angela Coleman to send the above letters.

Commissioner Haire stated that Jill Oca inquired about a payment due to the Jail Holding Corporation. Auditor Haas reported that the payment in question had been paid.

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 Guthrie, seconded by Commissioner Haire, and unanimously carried, the meeting was adjourned.

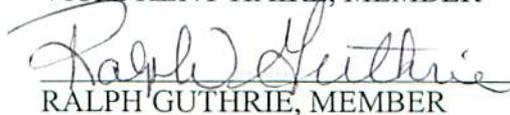
BOARD OF COUNTY
COMMISSIONERS
CLARK COUNTY, INDIANA



EDWARD MEYER, PRESIDENT

(ABSENT)

VICKI KENT HAIRE, MEMBER



RALPH GUTHRIE, MEMBER

SIGNED THIS DAY

2/9/06

ATTEST:

Barbara Bratcher Haas

BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR