

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
SEPTEMBER 21, 2006**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on September 21, 2006 in Room 308, City-County Building, Jeffersonville, Indiana.

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

Judge Blau addressed the Board regarding a new judicial officer and possible grant funding for security of the **Clark County Government Building**. Commissioner Haire questioned whether a new magistrate could work on Saturdays and Sundays to help relieve the caseloads. Judge Blau agreed that it was something to explore but there would be other costs involved such as staffing and space. Other offices would have to be open and that would also add to the cost. County Council Person Barbara Hollis informed the Board that the Council did make provisions in the 2007 budget to cover the salary of a magistrate for a period of six months. Ms. Hollis stated that they did not make provision for a court reporter, part time deputy prosecutor or a public defender.

Regarding the security of the building, Judge Blau summarized the Judge's concerns and their hopes in what this grant will do to make the building secure. **Mark Vangilder, Director of the Building Authority**, stated that he had received two quotes for a security system, each approximately one hundred thousand dollars (\$100,000.00), and expressed his and the Building Authority's support for securing the building. Commissioner Guthrie made a motion to move forward on applying for the grant funding by the due date, which is October 31, 2006, for fifty thousand dollars (\$50,000.00) to put toward a security system. The motion was seconded by Commissioner Haire and passed 3-0. Judge Blau agreed to prepare a letter of support from the judges. Commissioner Guthrie agreed to work with Mr. Vangilder to move forward in procuring this grant funding.

The minutes from the meeting of August 10, 2006 and September 7, 2006, having been mailed to the Commissioners and Mr. Moore prior to the meeting, were presented to the Board for approval. Commissioner Haire made a motion to approve the minutes as presented. 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 signature of proper officials is affixed 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 Haire and passed 3-0.

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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. A motion was made by Commissioner Haire to approve the vendor claims as submitted. The motion was seconded by Commissioner Guthrie and passed 3-0.

Attorney Pam Thompson, addressed the Board representing **Clark Memorial Hospital** with a request for approval to sell **Condo Suite 200, 301 Thirteenth Street in Jeffersonville**. Upon a motion by Commissioner Haire, seconded by Commissioner Guthrie, and passed unanimously, the Board passed Ordinance No. 11-2006 (An Ordinance Approving Sale of Real Estate by Clark Memorial Hospital).

Ryan McGregor gave an update on **Clark County Community Corrections** and asked the Board for a completion date on the third floor construction project. **Mr. McGregor** explained that he needed the date to send to the **State Department of Correction** for the process of setting the budget for operating expenses once the facility is finished. When asked by the Board, **Mr. Donnie Timberlake, James L. Shireman Company**, stated that there was a seven to eight month time frame for the completion of the project once the paperwork is signed. Commissioner Guthrie made a motion to approve a letter of intent to **Parco Ready Electric and Independent Piping** as a condition prior to signing the actual contract and authorize Commissioner Meyer's signature outside the meeting. The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Guthrie made a motion to table decision on two job proposals from **LIBS Paving Company, Inc.** until discussion with County Engineer Hyun Lee. Mr. Moore recused himself from this matter because of a possible conflict of interest. Commissioner Haire seconded the motion and it passed 3-0.

The Treasurer's monthly report was submitted for the record.

Auditor Haas informed the Board that there had been a breakdown in communication in the ongoing **Judiciary against County Auditor Case**. At the request of Auditor Haas, Commissioner Haire made a motion to allow Mr. Moore to continue as legal counsel for Auditor Haas on this case. The motion was seconded by Commissioner Guthrie and passed 3-0.

Auditor Haas informed the Commissioners that the County Council re-instated the **Bridge Fund** at one cent in the 2007 budget.

Commissioner Haire made a motion to appoint **Lyda Abell** as the new **Clark County Juvenile Detention Director**, replacing Jim Snook who resigned effective September 21, 2006. The motion was seconded by Commissioner Guthrie and passed 3-0.

Planning & Zoning Resolution 20-2006 (Brinkworth) was called for public hearing. Attorney **John Kraft** spoke representing Mr. Brinkworth. No persons spoke against the resolution. Commissioner Guthrie made a motion to concur with the Plan Commission and approve **Resolution 20-2006** with conditions, as presented in the record of the Plan Commission at the final plat approval hearing to and authorize Commissioner Meyer's signature outside the meeting. The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Guthrie made a motion to table **Planning and Zoning Resolution 12-2006 (Cole)** until the next meeting. The motion was seconded by Commissioner Haire and passed 3-0.

Planning & Zoning Resolution 19-2006 (Klein) was called for public hearing. No persons spoke against the resolution. Commissioner Guthrie made a motion to concur with the Plan Commission and approve **Resolution 19-2006**. The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Guthrie made a motion to table **Planning and Zoning Resolution Amendment No. 4 to Ordinance No. 2-2000** until the next meeting. The motion was seconded by Commissioner Haire and passed 3-0.

Upon a motion by Commissioner Guthrie and seconded by Commissioner Haire 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(\$119,806.10) one hundred nineteen thousand eight hundred six dollars and ten cents to pay outstanding Commissioners debts. The motion passed 3-0 and the Board instructed Secretary Kristi James to file the proper paperwork in the Auditor's Office.

Commissioner Guthrie made a motion to approve and sign Commissioner's **Resolution 5-2006** (A Resolution of the Clark County Board of Commissioners Preliminary Approving Lease Amendment with the Clark County Jail Holding Corporation). The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Haire made a motion to approve and sign a **letter of agreement** with **The Estopinal Group** for an existing elevator shaft variance on the Clark County Corrections Complex Addition and Renovation. The motion was seconded by Commissioner Guthrie and passed 3-0.

At a motion by Commissioner Haire, seconded by Commissioner Guthrie, the Board moved to appointed **Randy Hollis, Chuck Ledbetter, Matt Creed, and Barbara Hollis** to the **Emergency Management Advisory Council** and authorized Commissioner Haire to continue representing the Commissioners on the Council. The motion passed 3-0. A letter from the Clark County Council President Jim Smith appointing Council Person Hollis as their appointment to the Emergency Management Advisory Council was submitted for the record.

Mr. Moore reported about a complaint relative to an old home located in the Jeffersonville two mile fringe area that is falling down. For the record Mr. Moore stated that the matter of the two mile fringe is close to being resolved. The Commissioners each stated it is still their position to try to finalize this issue with **Jeffersonville Mayor Waiz**.

Mr. Moore stated for the record that in the **Judiciary against Auditor Lawsuit**, Auditor Haas has been an excellent public servant.

Brad Meixill, Clark County 911 attended the meeting regarding the adoption of **NIMS (National Incident Management Systems)** by Clark County. County Council Person Barbara Hollis, Mr. Meixell and the Commissioners all expressed concerns and had several unanswered questions. It was reported that if the County isn't in compliance by September 30, 2006 or they will freeze all federal grant funds. At Mr. Moore's advice, Commissioner Haire made a motion to recess the meeting until September 27, 2006 at five o'clock to discuss NIMS. The Board instructed Ms. Kristi James to contact Emergency Management Director Harold Plummer and the Advisory Board and ask them to attend the meeting to discuss this issue.

Upon a motion by Commissioner Haire, seconded by Commissioner Guthrie and unanimously carried, the Commissioners voted to appoint **Jerry Adams** to the **Tri-Township Fire Protection District**.

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).

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA

Edward Meyer

EDWARD MEYER, PRESIDENT

Vicky Kent Haire

VICKY KENT HAIRE, MEMBER

Ralph Guthrie

RALPH GUTHRIE, MEMBER

SIGNED THIS DAY

ATTEST:

Barbara Bratcher Haas

BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR