

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
JULY 26, 2007**

The Board of County Commissioners of Clark County, Indiana, met in Regular Session on July 26, 2007, in Room 404, Clark County Government Building, Jeffersonville, Indiana.

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

Approval of Claims

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 proper official has affixed a signature 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 Moore and passed 3-0.

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 with the exception of one claim submitted by the Clark County Health Department for a cake for an employee's retirement. Commissioner President Meyer reported that the Health Department withdrew the claim before the meeting. At a motion made by Commissioner Guthrie, seconded by Commissioner Moore and passed 3-0 to approve the claims without the claim that was withdrawn.

Public Comment

Dave Fry, Jeffersonville, Indiana, spoke in favor of recycling.

Commissioner Moore stated that he had made a request to the **Clarksville Town Board** for a recommendation for an appointment to the **Solid Waste Board**.

Mr. Ted Throckmorton made a statement in favor of recycling.

Mr. David Roth Stevens signed the public comment sheet, but withdrew with no comment.

Ms. DeAnna Adamson stated that she supported recycling.

Ms. Naomi Garcia stated that she supported recycling.

Jim McCoskey questioned the time that the Commissioners meet.

Mr. Arthur Harper Sr. stated that he was in favor of recycling.

Attorney David Nachand withdrew his petition to vacate which was on the agenda with a petition to vacate.

Ms. Susan Popp spoke in favor of mandatory recycling.

Commissioner Guthrie made a statement that what the County diverted from the landfill in the last five years added five weeks to the life of the landfill. The District Boards budget is one million and a quarter per year. Over forty years you save forty weeks to the life of the landfill which is about nine months. At the present rate, that cost is fifty million dollars for nine months extended life of the landfill. Commissioner Guthrie stated that any way you look at mandatory recycling, to continue the way things were, is a tax on the people. Commissioner Guthrie stated that he is in favor of recycling.

Ms. Mary Lukemeyer spoke in favor of recycling.

Old Business

Inland Services Representative stated that they would not accept the proposal made by Commissioner Moore at the previous meeting for them to be the sole recycle collection hauler for Clark County. Attorney Moore reiterated that the Commissioners did not hold a bid process, they just requested that the current waste haulers submit prices for the Commissioners to publish. Commissioner Moore stated that Sharon Marra informed her that Clark County Solid Waste would be asking for sealed bids by August 16, 2007. **Mr. Tim McNalley, Waste Management**, withdrew the price that they previously submitted. For the record Mr. Moore read aloud the proof of mailing to Inland Services stating that the price request for recycle collection was mailed on June 18, 2007 and was received June 21, 2007.

Plan Commission

Plan Commission Resolution 18-2007 (Grafton D. Estes Jr.) was called for public hearing. No persons spoke regarding the resolution. A motion was made by Commissioner Guthrie and seconded by Commissioner Meyer to concur with the Plan Commission and approve the resolution. The motion passed 2-0-1 with an abstention by Commissioner Moore.

Plan Commissioner 25-2007 (Robert E. McAfee) was called for public hearing. No persons spoke regarding the resolution. A motion was made by Commissioner Guthrie to concur with the Plan Commission and approve the resolution. The motion was seconded by Commissioner Meyer and passed.

Plan Commission Resolution 27-2007 (Robert Widman Jr. & Ronald Widman) was called for public hearing. No persons spoke regarding the resolution. A motion was made by Commissioner Guthrie and seconded by Commissioner Meyer to concur with the Plan Commission and approve the resolution. The motion passed 2-0-1 with an abstention by Commissioner Moore.

Commissioner Moore made a request that he receive information on these Plan Commission matters prior to the meetings. Commissioner Guthrie suggested that copies of the documents be placed in the Commissioner's trays from **Ramona Bagshaw, Director Clark County Plan Commission**, prior to the meeting.

Surplus Real Estate Appraisal

Attorney Moore stated that he advised Commissioner Moore of a matter from 2006 when The Board moved to appoint then County Assessor Carolyn Makowsky and her Chief Deputy Norma Lockard to appraise a parcel of surplus real estate in the **Bushman's Lake** area owned by Clark County. Attorney Moore stated that he was made aware that this appraisal has not been done. A motion was made by Commissioner Guthrie to hire **Richard Baird** and **Ed Haire** to do a joint appraisal of the parcel of surplus real estate in the **Bushman's Lake** area owned by Clark County. The motion was seconded by Commissioner Moore and passed 3-0.

Tabled Matters from Prior Meeting

- **Poll Workers Pay Increase**

Ms. Connie Sellers, Vice-Chair Clark County Republican Party, made a request from the Election Board to give the pole workers a raise to one hundred fifty dollars (\$150.00) for inspectors and one hundred dollars (\$100.00) for pole workers including the sheriff. Ms. Sellers stated that the Republican Chairman was in favor of the pay increase. Barbara Hollis spoke on behalf of the County Council. A motion was made by Commissioner Moore to approve the pay increases as requested. The motion was seconded by Commissioner Guthrie and passed 3-0. Ms. Sellers reported that the current absentee voter registration setup is unacceptable because of limited space and inmates are transported

- **Draft Ordinance**

A motion was made by Commissioner Meyer and seconded by Commissioner Guthrie to approve and sign **Commissioner's Ordinance 8-2007** (An Ordinance Providing for Voluntary Curbside Recycling Agreements in Unincorporated Clark County) with an effective date of September 15, 2007. The motion passed 2-1 with a no vote from Commissioner Moore.

Community Corrections Report

Ryan McGregor, Director Clark County Community Corrections, gave the update and presented the Board with a letter from **Judge Carmichael**, in her capacity as a member of **Clark County Board of Community Corrections**, regarding the hiring of the Director for the work release at the jail. **Mr. Ted Throckmorton, Member of Board of Clark County Community Corrections**, addressed the Commissioners regarding the Board of Clark County Community Corrections position on the hiring of the Director and questioned who has the authority to hire this position. **Sheriff Rodden** expressed concerns about the decision made by the **Board of Community Corrections** and the fact that Indiana State Law says the Sheriff is responsible for anyone housed in the Clark County Jail. Upon a motion by Commissioner Guthrie, seconded by Commissioner Moore and a vote of 3-0, the Board moved to instruct **Ryan McGregor** to set up a meeting between **Judge Carmichael, Sheriff Rodden** and the Commissioners to discuss this matter. Sheriff Rodden asked Ryan McGregor to answer his question of what the Board of Clark County Community Corrections expect from him regarding the work release facility.

Appointments

At a motion by Commissioner Guthrie, seconded by Commissioner Moore, and a vote of 3-0, the Board voted to re-appoint **Hilda Kendrick** to the Jeffersonville Township Public Library Board.

At a motion by Commissioner Guthrie, seconded by Commissioner Moore, and a vote of 3-0, the Board tabled the appointment to the **Drainage Board** until the next meeting.

Auditor's Report

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

Old Business

A motion was made by Commissioner Guthrie to approve **Lifesprings Mental Health Services** for 2005, 2006, and 2007 contracts (subject to council funding decisions) and submit them to the Clark County Council to be paid out of the General fund or other sources. The motion was seconded by Commissioner Meyer and passed 2-1 with a no-vote from Commissioner Moore. The Commissioner directed Secretary Kristi James to submit the pertinent paperwork to the County Council for appropriation and payment of these contracts. Attorney Moore suggested that the Commissioners appoint themselves, and Sheriff Becher, to meet with the County Council to negotiate with Lifesprings for future contacts.

Attorney Moore presented the Board with a **Letter of Opinion** from **Martin E. Risacher, PC, Church, Church, Hittle and Antrim Attorney's at Law** regarding allegations made against Attorney Moore by **Mayor of Charlestown Mike Hall**. See copy of the letter attached.

Regarding the portion of the **Clark County Surveyor's Salary** which is paid from the **Clark County Highway Department Budget**, Attorney Moore stated that he has issued several letters of opinion in this matter and this process is legal. He stated that the choice of funding budgets is a Council decision at budget time. Also, Attorney Moore was asked by the **State Board of Accounts** to address this at public meeting. Mr. Lee was in the audience and Attorney Moore included his inquiries in the Attorney's Advisory.

Board of Aviation

A motion was made by Commissioner Guthrie to sign and approve an **agreement between Clark County Board of Aviation Commissioners, Clark County Commissioners and NGC Corporation** for consulting services in the amount of twenty thousand dollars (\$20,000.00) to be paid out of the landowners and liability fund. The motion was seconded by Commissioner Meyer and passed 2-1, with a no-vote from Commissioner Moore.

Engineer's Report

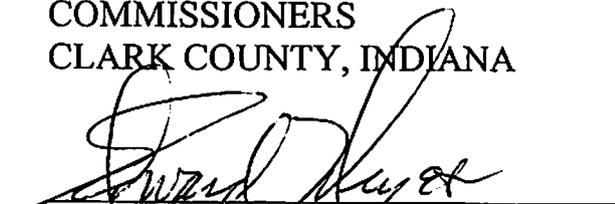
County Engineer Hyun Lee introduced David Day and Chris Murphy who presented an update and the final plans for **Bridge # 76 Henryville-Blue Lick Road**. Chris Murphy reported that he is working on the new Ohio River Crossing roads in Utica. Mr. Murphy stated that they are within a week or so of starting the design work.

Commissioner Moore stated that he spoke with **Linda Sparks at the Clark-Floyd Landfill** regarding locating recycle bins at the **McCulloch Fire House** and the **Fire House near Bull Creek Road**. Commissioner Guthrie stated that the delay is that the bins are being painted and new lids are being made for them. Commissioner Guthrie agreed to follow up on the bins. The Commissioners agreed to have recycle boxes placed in the offices of the County Building and next to the drink machines.

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, a motion was made by Commissioner Guthrie and seconded by Commissioner Moore to adjourn. The motion was passed 3-0.

BOARD OF CLARK COUNTY
COMMISSIONERS
CLARK COUNTY, INDIANA


EDWARD MEYER, PRESIDENT

Mike Moore
MIKE MOORE, MEMBER

Ralph Guthrie
RALPH GUTHRIE, MEMBER

SIGNED THIS DAY

ATTEST:

Barbara Bratcher Haas
BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR