

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA
SEPTEMBER 26, 2002**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on September 26, 2002 in Room 308, City-County Building, Jeffersonville, Indiana.

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

In the first order of business a motion was made by Commissioner Lewis to approve and sign the minutes of the meetings of August 29, 2002 and September 16, 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 Haire to approve and sign said claims. The motion was seconded by Commissioner Lewis and passed 2-0.

County Auditor Barbara Bratcher Haas reported that the vendor claims were not published as required in IC.36-2-6-3 requiring publication three days prior to the meeting to allow action by the Board. The Auditor delivered the list to the paper on September 11, 2002 requesting publication on September 23, 2002. The Evening News legal department failed to publish within the three days required. The Board took no action.

President Parker read a statement from the Board of Commissioners in regard to the budget approved by the County Council. (See a copy attached.)

County Auditor Barbara Bratcher Haas presented the Board with the proof of publication for the notice of invitation to receive **bids** for construction of the new 911 building. The bids for the new 911 building were opened and read aloud by County Attorney Scott Lewis as follows:

Woodbine Construction, LLC	\$118,636.00
CBC Construction, LLC	\$126,900.00
AML, Inc.	\$144,500.00
Joe James Construction	\$134,500.00
Derek Engineering, Inc.	\$119,400.00
Upton Pry, Inc.	\$146,390.00

All bids included the proper bid bonds. A motion was made by Commissioner Lewis to take the bids under advisement and award them at the meeting of October 10, 2002. The Clark County Health Department and the project engineer will go over the bids and make a recommendation. The motion was seconded by Commissioner Haire and passed 3-0.

A motion was made by Commissioner Lewis to remove **Planning and Zoning Resolutions 47-2002 and 48-2002** from the agenda because of a temporary injunction order issued by Clark Circuit Court that prevents the County or the City of Charlestown from taking zoning action on anything within two miles of the Charlestown City boundary. The motion was seconded by Commissioner Haire and passed 3-0.

Mrs. Jill Saegesser and Ms. Laura Dixon, River Hills Economic Development District, appeared before the Board with a report that the **Lifespring Planning grant** has been approved and accepted. A motion was made by Commissioner Haire to approve and authorize President Parker's signature on the necessary closeout documents. County

Attorney Scott Lewis stated that he has reviewed these documents. The motion was seconded by Commissioner Lewis and passed 3-0.

Ms. Jill Saegesser reported that River Hills Economic Development District services Clark, Floyd, Harrison, Scott and Washington Counties and that part of the federal funding that they receive is subject to a comprehensive economic development strategy being filed with the Economic Development Administration. Ms. Saegesser reported that earlier this summer River Hills sent out a needs assessment request to each of these counties for their review. The suggestions submitted by the counties have been added to the document. In order for these to be accepted by the Economic Development Administration all the needs of each county must be included. In discussion Commissioner Lewis expressed his concerns about the need for deceleration lanes and possible stop lights along **State Highway 62 at Stacy and Bethany Roads** as well as some other locations in the County. Ms. Saegesser explained that River Hill serves as the rural planning organization and **Kipda** serves as Clark County's metropolitan planning organization. Also Ms. Saegesser stated that River Hills forwarded Mr. Lewis's letter about this to Kipda and they will incorporate that request in their plan that they submit to the Department of Transportation. A motion was made by Commissioner Lewis to approve and sign Resolution 17-2002 approving the 2002 River Hills District CEDS update. The motion was seconded by Commissioner Haire and passed 3-0. (See a copy of the resolution attached.)

Ms. Kathy Jones, Center for Lay Ministries, joined **Mrs. Jill Saegesser** and **Laura Dixon** with a report on the status of the **Center For Lay Ministries** grant application. The match funds were not in place in time for the deadline. Ms. Jones explained that that they are proceeding with the preparation in order to submit in June 2003. No action was necessary at this time.

Clark County Clerk Keith Groth appeared before the Board with a request for forty one thousand dollars (\$41,000.00) to cover printing supplies and election workers pay because of a shortage in his budget this year. Mr. Groth stated that at an emergency meeting of the Election Board he was promised by two County Council members that these would be paid out of the cumulative capital development fund. A motion was made by Commissioner Haire to approve forty-one thousand dollars (\$41,000.00), pursuant to I.C. 36-9-14,5-8(c), and found that the expenditure from the Cumulative Capital Development fund is necessary, and approved hereby, to protect the public health, welfare or safety. The Board declared the existence of an emergency and demanded immediate action. The motion was seconded by Commissioner Lewis and passed 3-0.

Clark County Sheriff Michael Becher appeared before the Board with a request for one hundred eighty one thousand three hundred three dollars (\$181,303.00) for the following expenses:

medical and dental	\$31,832.00
drugs and medical	\$13,000.00
service contracts	\$6,000.00
jail overtime	\$30,000.00
repair of kettle	\$970.00
vehicle maintenance	\$5,000.00
office supplies (jail)	\$3,000.00
radio and installation	\$5,000.00
printing (jail)	\$500.00

Sheriff Becher stated that the County Council told him that these expenses would be paid out of the cumulative capital development fund when the Sheriff's budget was cut. A motion was made by Commissioner Lewis, with the condition that if the bills are less the additional funds will stay in the cumulative capital development fund, to approve, pursuant to I.C. 36-9-14,5-8(c), and found that the expenditure from the cumulative capital development fund is necessary, and approved hereby, to protect the public health, welfare or safety. The Board declared the existence of an emergency and demanded immediate action. The motion was seconded by Commissioner Haire and passed 3-0.

For clarification County Auditor Barbara Bratcher Haas asked the Board if they are authorizing expenditures from the cumulative capital development fund to be paid without a signature from the Commissioners. Ms. Haas was told that the Board would not sign these claims and they are authorizing Sheriff Becher and Mr. Groth's signatures.

Sheriff Becher informed the Board that the **cops in schools grant** that they applied for was awarded for three hundred seventy five thousand dollars (\$375,000.00). The grant is for three (3) officers to be placed in the **Riverside, New Washington and Henryville Schools**. Sheriff Becher explained that President Parker's signature is required on the grant and that he is on the agenda to go before the County Council for their approval because after the three years are up on the grant the County will have to pick up the costs of the officers pay and benefits or lay them off. The match funds for the three years is forty one thousand nine hundred eighty eight dollars (\$41,988.00) which Sheriff Becher said can be funded from the misdemeanor housing of prisoners fund if approved by the County Council. Sheriff Becher stated that he must respond within ninety days (90) from September 1, 2002. The Board told Sheriff Becher to come back after they have approval from the County Council. No action was taken at this time.

A motion was made by Commissioner Haire, to approve the expenditure of forty five thousand dollars (\$45,000.00) for **care of inmates**, pursuant to I.C. 36-9-14,5-8(c), and found that the expenditure from the cumulative capital development fund is necessary, and approved hereby, to protect the public health, welfare or safety. The Board declared the existence of an emergency and demanded immediate action. The motion was seconded by Commissioner Lewis and passed 3-0.

Teamsters and Sheriff employee recognition was next on the agenda. No persons appeared in regard to this and the Board took no action.

Mr. Glen Murphy was next on the agenda in regard to a bridge in Utica. **Mr. David Evanzyk, President of Marine Builders**, who appeared in Mr. Murphy's absence made a request that the Board look at placing a weight limit rating of approximately 100 ton on bridge # 401 which Mr. Evanzyk stated matches the design perimeters that were used to design the bridge. County Engineer Hyun Lee reported that the limit for the bridge is thirty-six ton and that he can give a permit for up to fifty nine thousand pounds. **Mr. Mark Pangburn**, Engineer, reported that he has inspected the bridge and that there are no stress cracks and it is in perfect order. Mr. Pangburn and Mr. Lee both recommended that the normal weight limit not exceed sixty ton. **Mr. Ben Broadhurst**, a citizen of Utica, stated that the bridge has five visible cracks and at the Utica Town Board meeting he was told that these are vintage cracks that were there when the bridge was built.

Ms. Amy Haupt Jarvis appeared before the Board in regard to an **AUL** compensation program. A motion was made by Commissioner Lewis to approve the program for County employee's choice. The motion was seconded by Commissioner Haire and passed 3-0.

Next on the agenda was **Mr. Bob Miller** who did not appear.

Mr. David Nachand, Attorney, appeared before the Board representing **Mr. & Mrs. Patrick R. Northam**, 5602 Ridgefield Dr. Charlestown with a request to vacate a stub street in **Farmington Station** Subdivision. The stub street is adjacent to Northam's property. A large number of people attended the meeting in favor of vacating the stub street and Mr. Nachand reported that the **Simpson's** who have property that joins this stub street have given their written consent for the vacation. **Mr. Greg Furnish, Developer**, and **Mr. Krantz** appeared before the Board in opposition to the vacation. Mr. Furnish stated that he plans to develop property owned by Mr. Krantz and access this stub street. After discussion a motion was made by Commissioner Haire to approve and sign **Ordinance 14-2002** (An Ordinance vacating part of Public Way and Easements in Farmington Station Subdivision). The motion was seconded by Commissioner Lewis and passed 3-0. (See a copy of the ordinance attached.)

Planning and Zoning Resolution 46-2002 was called for public hearing. No persons spoke to the Board in regard to this resolution. A motion was made by Commissioner Lewis to approve resolution 46-2002 whereas, **Crystal Springs, LLC** petitioned for a zone reclassification from R-1 to PUD. The motion was seconded by Commissioner Haire and passed 3-0. (See a copy of the resolution attached.)

A motion was made by Commissioner Lewis to approve and sign the request of proposals for engineering services for buying right-of -ways in the **Perry Crossing Road** project. The motion was seconded by Commissioner Haire and passed 3-0. (See a copy of request attached.)

A motion was made by Commissioner Lewis to approve and authorize President Parker's signature on change order # 2 on the **Clark County bridge # 18** project changing the original contract price from one hundred eighty eight thousand one hundred ninety nine dollars and ninety three cents (\$188,199.93) to one hundred eighty nine thousand five hundred nineteen dollars and ninety three cents (\$189,519.93). The motion was seconded by Commissioner Haire and passed 3-0. (See a copy of the change order attached.)

In regard to **bridge # 401** that was discussed earlier in this meeting, Mr. Hyun Lee, County Engineer, gave an update. County Attorney Scott Lewis advised that it is not necessary to put up a weight limit sign at this time.

At the recommendation of the County Planning Commission and the County Board of Zoning Appeals a motion was made by Commissioner Lewis to approve a contract with **Mr. Lonnie Cooper** for legal services to the **County Plan Commission and the County Board of Zoning Appeals**. Mr. Cooper will be eligible to participate in **Pepsco**. The motion was seconded by Commissioner Haire and passed 3-0. (See a copy of the contract attached.)

A motion was made by Commissioner Lewis to approve a contract with **Waggoner, Irwin, Scheele & Associates, Inc. (WIS)** to provide professional consulting services to assist the County in preparing and administering personnel policies and procedures. The Commissioners have ten thousand dollars set aside in their budget for this project. The motion was seconded by Commissioner Haire and passed 3-0. (See a copy of the contract attached.)

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

A motion was made by Commissioner Lewis to approve the **polling locations** for the **2002 general election**. The motion was seconded by Commissioner Haire and passed 3-0.

Commissioner Lewis reported that he met with the probation staff of **Superior Court # 3** about the possibility of home incarceration for some prisoners. This would cost the County ten dollars per day instead of the fifty-five dollars per day that the County pays other Counties to house the prisoners. Commissioner Lewis stated that he spoke to **Judge Fleece** and he has no objection to this taking place but he did caution that this will not solve all the overcrowding problem because there will be a very strict criteria as to who he will allow to go into this program. Judge Fleece will be less likely to include someone who is a violent offender, a repeat offender, or a probation violator than some other first time offenders. The Board will not be involved or participate in the decision as to who gets out on home incarceration. For clarification County Auditor Barbara Bratcher Haas asked where this money would be receipted in. Commissioner Lewis stated that they have not discussed this part of the details.

A motion was made by Commissioner Parker to appoint **Mr. Ted Throckmorton** to the Community Correction Advisory Board for a term beginning September 26, 2002 and expiring April 10, 2006. **Mr. Steve Watson** resigned from this position. The motion was seconded by Commissioner Haire and passed 3-0.

Ms. Connie Kitts, Alliance of County Employees, addressed the Board about the recent budget adopted by the County Council. Also Ms. Kitts reported that the Alliance of County Employees met with **Mr. Culpepper Copper, Employee Insurance Agent of Record**, and went over the insurance numbers. Ms. Kitts stated that Mr. Cooper agreed that the amount of money that went into the budget should cover the insurance and there will not be a need for an increase in the employee's contribution in 2003. Ms. Kitts pleaded for the jobs of the employees whose salaries are paid out of the County Commissioner's budget.

Mr. Phil Melton, a member of the committee appointed by the Plan Commission to overlook the subdivision control ordinance, presented the Board with a copy of the proposed **subdivision control ordinance** for their review. Mr. Melton informed the Board that Ms. Cathy Densford has researched all the subdivisions approved by Clark County since January 12, 2002 and found that none of the roads in these subdivisions have been accepted into the County. Also Mr. Milton presented the Board with a list of resolutions that were proposed at the **Farm Bureau** annual meeting last week with a checkmark on the ones that did not pass. The Board took no action.

There being no further business to come before the Board and on a motion made by Commissioner Haire, seconded by Commissioner Lewis, 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

September 26, 2002