

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
NOVEMBER 2, 2006**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on November 2, 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 Attorney Daniel Moore, Secretary Kristi James, and Deputy Auditor Theresa James.

The minutes from the meeting of September 27, 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.

For the record Commissioner Haire stated that it was brought to her attention that there was an error in the draft of the minutes from the special meeting of October 13, 2006. The reference to **Commissioners Resolution 20-2006** indicated that the fence would be at least six and one half feet tall. The Commissioners agreed that the word fence is in error and should be wall and this change would be made prior to approval of the minutes.

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.

A motion was made by Commissioner Haire to approve and sign a contract with **Butler, Fairman and Seufert, Incorporated** for engineering services on **Bridge # 63**. The motion was seconded by Commissioner Guthrie and passed 3-0.

At the recommendation of **Laura Dixon, River Hills Economical District**, Commissioner Guthrie made a motion to approve and sign the Contract Invoice-Voucher for the State reimbursement on the **Clark County Smart Growth Bridge Planning Study**. The motion was seconded by Commissioner Haire and passed 3-0.

Mr. Bill Beckort and Mr. John Beckort made a request to purchase a four acre tract of land owned by Clark County. The Commissioners as disposing agent made the findings that the highest and best use of the tract is sale to an abutting landowner and the cost to the public of maintaining the tract equals or exceeds the estimated fair market value of the tract. Commissioner Haire made a motion to appoint **County Assessor Carolyn Makowsky** or her appointee to appraise the tract. Mr. Moore advised that pursuant to I.C. 1-11-5 after the findings and the appraisal the Board must advertise for bids. Commissioner Guthrie seconded the motion and it passed 3-0.

Mr. Dan Neal, Cyber Tech Internet Access, gave a presentation and made a request to be considered for work on the County's website.

At the recommendation of the Emergency Management Advisory Council, and a motion by Commissioner Haire, seconded by Commissioner Guthrie, **Brad Meixell** was appointed as the temporary emergency contact until an appointment is made to replace **Harold Plummer** as **Civil Defense Director**. The motion passed 3-0.

Mr. Gary Gilmore presented the Board with copies of the **Estates of Boulder Creek Section 1** and **Estates of Boulder Creek Section 2** with a request to withdraw the plat so that the Board will release his bond. Mr. Gilmore stated that he did not require an answer at this time but would appreciate the Board's consideration on this unique matter. The Commissioners instructed Mr. Gilmore to submit his request in writing.

Mr. Lee reported that the highway department began working on the roads in **Brookhollow Subdivision** patching pot holes and if there is time before winter, they intend do the paving.

Sheriff Becher presented the Board with a letter stating that the Council denied his request for two hundred twenty five thousand dollars (\$225,000.00) for gasoline, jail medical and meals. The Commissioners took the request under advisement because they did not know if they had enough money in the **Cumulative Capital Development** Fund to cover these claims. The Board agreed to take care of the claims which are due as soon as they have the funds.

Commissioner Guthrie made a motion to wait until 2007 to act on funding for an **additional magistrate** and staff because of the County's financial situation. The motion was seconded by Commissioner Haire and passed 2-1 with a no vote from Commissioner Haire.

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 three hundred fifty eight thousand six hundred thirty five dollars (\$358,635.00) to pay for **general liability insurance**. The motion passed 3-0.

Upon a motion by Commissioner Haire and seconded by Commissioner Guthrie 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 two thousand one hundred dollars (\$ 2,100.00) to pay **Dixon Engineering** for engineering services regarding the Stormwater Drainage Program. The motion passed 3-0.

At a motion by Commissioner Haire, seconded by Commissioner Guthrie and a unanimous vote, the Board moved to table action on claims from **Absolute Networking Systems** until the next meeting which will be held November 16, 2006.

At the recommendation of Mr. Moore, Commissioner Haire made a motion to ratify a memorandum that Mr. Moore had prepared and presented to the **Election Board** where Mr. Moore was instructed by the three Commissioners (outside of a meeting) to appear on behalf of **William and Vicki Vissing** and the County Clerk. Commissioner Guthrie seconded the motion and it passed 3-0.

Commissioner Haire made a motion to instruct Mr. Moore to draft a letter to **Mayor Waiz** and the **County Departments** stating that the two mile fringe has been rescinded as of as of November 2, 2006.

In response to a request from Mr. Moore a report from Auditor Haas of the **CREDIT Funds** was submitted for the record.

Upon a motion by Commissioner Haire, seconded by Commissioner Guthrie and unanimously carried, the Commissioners instructed Mr. Lee to ask the developer of **Sterling Oaks Subdivision** to extend the letter of credit.

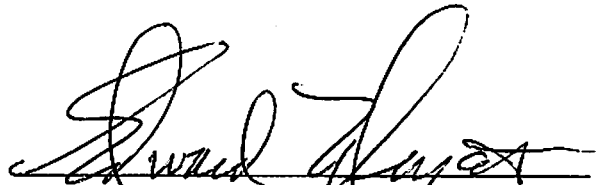
A letter to the Commissioner from **Insight Communications** regarding **franchise agreements** was submitted for the record.

David Lewis Attorney for Hoosier Energy reported that they were not ready for action from the Board at this time, on the methane gas project, and would return at a future meeting.

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

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA

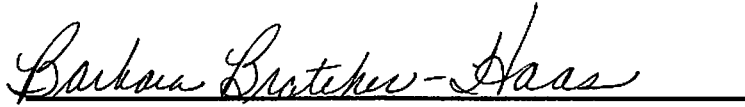

EDWARD MEYER, PRESIDENT


VICKY KENT HAIRE, MEMBER


RALPH GUTHRIE, MEMBER

SIGNED THIS DAY

ATTEST:


BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR