

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, INDIANA  
MAY 24, 2001**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on May 24, 2001 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Dennis Hill, Raymond Parker, and David Lewis, Secretary/Administrative Assistant Pam Smith, County Attorney Scott Lewis, County Auditor Barbara Haas, and Deputy Auditors Margie Hommel and Theresa James. All references to "Commissioner Lewis" refer to David Lewis. All references to "Mr. Lewis" refer to Scott Lewis. Commissioner Lewis and Mr. Lewis are not related.

The regular meeting was called to order at 5:32 P.M. by President Dennis Hill.

In the first order of business a motion was made by Commissioner Lewis to approve and sign the minutes from the meeting of April 26, 2001. The motion was seconded by Commissioner Parker and passed 3-0.

Commissioner Lewis made a motion to approve and sign payroll claims. Commissioner Parker seconded the motion and it passed 3-0.

Planning and Zoning Resolution 15-2001 Jay Sheth was called for public hearing. No persons spoke to the Board in regard to this Resolution. Commissioner Parker made a motion to approve and sign said Resolution. The motion was seconded by Commissioner Lewis and passed 3-0. (see copy of Resolution attached)

**Planning and Zoning Resolution 14-2001 403 Properties, LLC** was called for public hearing. **Mr. John Vissing, Attorney, and, Mr. Paul Primervera, Civil Engineer,** appeared before **Mr. Christiani, 403 Properties.** The Plan Commission approved a Planned Unit Development subject to restrictive covenants which were presented by Mr. Vissing. Mr. Primevera reported that they have worked with the adjoining property owners to make this a user friendly commercial/industrial park. Ms. Debra Russell, a resident of Maple Street adjacent to the proposed zoning change, raised the question as to whether her neighborhood, and landowners adjacent to the Planned Development would receive notice if the developer decided to change the restrictive covenants. A motion was made by Commissioner Parker to approve this Resolution as recommended by the Planning Commission with the stipulation that any proposed changes to the restrictive covenants of the Planned Unit Development must first be approved by the Plan Commission at a hearing that the adjacent landowners were given notice of. The motion was seconded by Commissioner Lewis and passed 3-0.

**Sheriff Mike Becher** appeared before the Board with a request for seven correction officers, holiday pay for officers, radios for officers and stack-able bunks. Sheriff Becher explained that he asked the County Council for these at their last meeting and they were denied. Commissioner Parker made a motion to declare the existence of an emergency.

Pursuant to I.C.36-9-14.5-8 (c), the Board found that the expenditure from the Cumulative Capital Development Fund is necessary, and approve hereby, to protect the public health and safety, authorize the purchase of one hundred forty five stack-able bunks. The motion was seconded by Commissioner Lewis and passed 3-0. A motion was made by Commissioner Lewis to table the request for corrections officers and related expenses until a future meeting. Motion was carried 3-0.

Commissioner Lewis made a motion to authorize transfer of a retired police car to the Clark County Soil and Water Conservation District provided that they can provide insurance. Subject to the law the decals must be removed and the car must be painted. This car is to be used for business use only and is not a take home vehicle. Soil and Water Conservation will be responsible for the maintenance. The motion was seconded by Commissioner Parker and passed unanimously. Subject to the provisions of the policy, Commissioner Lewis asked Soil and Water to investigate whether the vehicle can continue to be insured under the county's coverage since the employee who will be driving the vehicle for them is a county employee.

**Mr. Joe Olson** returned in reference to County employee's health care. A motion was made by Commissioner Lewis to approve Plan # 201 United Health Care renewal with the stipulation that the County is not locked in and can cancel with a thirty day notice. The motion was passed by Commissioner Parker and passed 3-0. The Board set the date for open enrollment as May 30, 2001 from 9:00 A.M. until 4:00 P.M.

**Ms. Linda Cody** was listed on the agenda but did not attend. County Attorney Scott Lewis explained that he spoke to Ms. Cody in regard to a contract for additional space at the Clark County Health Care Clinic. Ms. Cody sent a copy to Mr. Lewis for his review and they are waiting for an answer from the Indiana State Department of Health. They hope to have the answer and be prepared for the next meeting.

A motion was made by Commissioner Lewis to approve a letter of intent to apply for a \$240,000.00 Development Block Grant Community. The motion was seconded by Commissioner Parker and passed 3-0.

Commissioner Lewis made a motion to approve and sign a letter authorizing River Hills Economic Development District and Regional Planning Commission to prepare and submit the minutes of the required hearing related to the Indiana Housing Finance Authority (IHFA) application for the Clark County Board of Commissioners. The motion was seconded by Commissioner Parker and passed 3-0.

**Mr. Jerry Larison and Mr. Randy Smith, Plexis Group**, appeared before the Board and presented the Board with a report on a needs assessment for the County in reference to a new GIS System. The Board decided to take this under advisement and give the County Commissioners and the County Council a chance to review the needs assessment.

Commissioner Lewis made a motion to instruct County Attorney Scott Lewis to prepare a letter to the City of Jeffersonville proposing to settle its lawsuit against the **Regional**

**Water and Sewer** District under the following terms: (a) The County will file any and all petitions as are necessary before any and all regulatory agencies, including **IDEM**, to separate the water and sewer district from the sewer district with the boundaries of the water remaining intact as already approved by **IDEM**, but the boundaries of the sewer district changing in such a way that the **INAAP** property be removed from the sewer district boundaries; (b) the county commissioners will commence any and all petitions or actions necessary, if any, before **IDEM**, the sewer district board of directors, and any other agency or body as is necessary to carry the settlement into effect; (c) the county will seek any consent necessary from **Aquasource** to change the sewer district boundaries (understanding that the county has already discussed the boundary changes with **Aquasource** and they have no apparent objectives to such changes); and (d) the parties will take any other legal steps as may be necessary to carry the settlement into effect. The motion was seconded by Commissioner Parker and passed 3-0.

A motion was made by Commissioner Parker and seconded by Commissioner Lewis to resume county maintenance responsibility for that portion of Middle Road that was being maintained by the State of Indiana during construction. The motion passed 3-0.

Commissioner Parker made a motion to approve the change of the eight weathering steel beams as described in the plans for the construction of **bridge #47**. The eight W18x50x41' weathering steel beams as described in the plans are unable to be scheduled for production until approximately August 10, 2001. **R.L. Vuckson Excavating Company** proposed to substitute W18x50x40' 2" weathering steel beams which are available for immediate delivery. If accepted this will result in a reduction of the contract price by \$425.00. The motion was seconded by Commissioner Lewis and passed 3-0.

A motion was made by Commissioner Lewis to follow the recommendation of Mr. Hyun Lee, County Engineer, to approve the purchase of right-of-ways for **bridge #46** and **bridge #103**. Mr. Lee stated that the funding is available for this project. The motion was seconded by Commissioner Parker and passed 3-0.

Commissioner Parker made a motion to approve the purchase of one **Sewer Equipment Company** of **America** Model 747-FR2000 trailer mounted sewer jetter at a cost of \$38,725.00. Complete with 65 gpm @ 2000 psi water pump, 6 ~cylinder, 125 hp gas engine, 700 gallon Super-Poly water tank, water tank fill system, cold weather recirculation system, hydraulic drive Rotating Safety Hose Reel for 1" hose, 400 ft. of 1" 2500 psi sewer hose, control panel, steel shrouded engine/water pump compartment, tantom axle trailer with electric brakes, hitch, tool box, I.C.C. lighting. The motion was seconded by Commissioner Lewis and passed unanimously.

County Engineer Hyun Lee, presented the Board with the Clark County Bridge Inspection Phase 11 (final )2000. Mr. Lee stated that he will be returning for authorization to begin the work on bridge # 79.

County Attorney Scott Lewis reported that lie has been in contact with **Mr. Don Miller, Flint Group**, in regard to the proposed Contact that he discussed at the Meeting of May

10,2001. The Flint Group has agreed to the modifications and they will have a copy ready for the Board's approval at the meeting of June 7, 2001. Also Mr. Lewis reported that in regard to a proposed contract with Bernardin, Lochmuller & Associates to hire them to prepare and submit a report to IDEM concerning the regional water and sewer district, his recommendation is that action on the contract be tabled because the deadline for the report can be extended for one year. Commissioner Lewis stated that it is not necessary to table the item since tabling it will require the item to be carried over to the agenda of a future meeting(s). The Sewer District Board can seek to have the reporting deadline extended and there is no reason to take action on the contract proposal until the report is due. No action was taken.

The Treasurer's monthly report for April 2001 was submitted for the record.

County Auditor Barbara Bratcher Haas reported to the Board that she recently attended the Auditor's conference at Merrillville, Indiana. At the meeting Ms. Haas learned that the limit on the amount of the Auditor's **Endorsement Fund** has been raised to \$5.00 beginning July 1, 2001.

Commissioner Lewis spoke concerning a proposed resolution establishing a policy pertaining to requests for charitable contributions. Mr. Lewis presented a draft for the review of Mr. Lewis, County Attorney and Commissioners Hill and Parker. No action was taken at this time.

Ms. Margie Hommell, Chief Deputy Auditor, addressed the Board in reference to claims that were submitted to the Auditor's Office. The Auditor's Office needs direction as to who the grant administrators are and who is authorizes to sign these claims for payment. The Grant funds have not been drawn down from the State. The funds in question are:

**Starlight Community Planning Fund #530**

**Build Indiana-Rake Road Grant Fund # 535**

The Board will contact someone from Sieco, **Engineering and S. K. Wilson Associates, Inc.** In the future the Auditor is to bring these claims to open meeting for the Boards signature.

A motion was made by Commissioner Parker and seconded by Commissioner Lewis to Table the appointment to the Redevelopment Commission.

There being no further business to come before the Board and on a motion made by Commissioner Parker, seconded by Commissioner Lewis, and unanimously carried, the meeting was adjourned.

**BOARD OF COMMISSIONERS  
CLARK COUNTY, INDIANA**

**DENNIS HILL, COMMISSIONER  
RAYMOND PARKER, MEMBER  
DAVID LEWIS, MEMBER**

**SIGNED THIS DAY:**

**ATTEST: BARBARA HAAS, CLARK COUNTY AUDITOR**