

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA
AUGUST 14, 2003**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on August 14, 2003.

Present at the meeting were County Commissioners David Lewis, Raymond Parker 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 Commissioner Parker made a motion to table approval of minutes until the meeting of August 28, 2003. 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 Parker to approve and sign said claims. The motion was seconded by Commissioner Haire and passed 3-0.

A motion was made by Commissioner Parker to approve and sign a memorandum of agreement on the **Amy's House Children's Advocacy Center Grant**, which has now been awarded. County Attorney Scott Lewis gave his approval of the agreement and recommended that the Board sign. The motion was seconded by Commissioner Haire and passed 3-0.

Mr. Mike Meyer, Clark County Health Department, appeared before the Board with a grant agreement from the **State Of Indiana's Prenatal Substance Use Prevention Fund** of up to thirty six thousand three hundred fifty dollars (\$36,350.00) and Amendment No: 2 to the existing **U.S.D.A. WIC Program** contract for services in the amount of two hundred fourteen thousand four hundred nine dollars (\$214,409.00). Mr. Meyer reported that neither of these agreements will require funding from the County and they have been reviewed and approved by Attorney Jim Kiser. A motion was made by Commissioner Parker to approve and sign both documents. The motion was seconded by Commissioner Haire and passed 3-0.

Mr. Don Sherry, Carpenter's Union, appeared before the Board in regard to construction of **bridge # 6**, Cooper's Lane, Jeffersonville. Mr. Sherry reported that he was notified by a group of men working on this project that feel that they are not being paid the correct hourly wage and request action by the Board. The original bid submitted by **Temple and Temple** was under the one hundred fifty thousand dollar amount, which sets the amount paid to union workers at a lower hourly wage. On June 19, 2003 the Commissioners approved a change order on this project in the amount of three thousand five hundred ninety six dollars (\$3,596.00), which raised the actual cost above the one hundred fifty thousand dollar threshold. Mr. Sherry stated that he was told by **Pete Remsen, Deputy Commission, Department of Labor**, that once the wages are established it becomes a part of the notice to bidders, whether they come in below the one hundred fifty thousand dollar threshold or not. **Mr. Jorge Lanz, Jacobi, Toombs and Lanz**, addressed Mr. Sherry's questions because his company prepared the contract documents. Mr. Lanz stated that the documents were prepared the way they have always been by Jacobi, Toombs and Lanz. At the advise of County Attorney Scott Lewis, the Commissioners agreed to have Mr. Lewis and Mr. Lanz look into this situation and contact the Wage and Labor Board.

Mr. Rick Missi, 2802 Bolder Court, Jeffersonville, who appeared before the Board July 17, 2003, and July 31, 2003 representing the residents of **Boulder Creek Subdivision** in regard to the condition of the roads in **Brook Hollow Subdivision**, returned again as agreed. County Attorney Scott Lewis reported that he has researched as directed by the Board and found that yesterday they began paving the roads in phase one of Brookhollow Subdivision. In regard to phase three, Mr. Lewis reported that the State confirmed that they are not to make any improvements because there will be an "eminent domain offer" on this property in September or October. Mr. Lewis explained that the Commissioners couldn't do anything more about this problem. Mr. Lewis submitted a letter for the record from **Mr. Alan G. Conner** informing him of the schedule of events in regard to the I-265 expansion through Brookhollow Subdivision. (See a copy of the letter attached.)

Mr. Stan Richards, Jesse Ballew Enterprises, appeared before the Board requesting approval of the vacation of an existing thirty-foot lake access easement adjacent to lake out lot no. 1 in the **Estate Section of Hidden Lakes Subdivision**, Section One. Mr. Richards stated that this has the approval of one hundred percent of all parties of interest and he presented the Board with the proof of publication. Commissioner Haire made a motion to approve the vacation of the easement with the assurance that a new easement will be established. County Engineer Hyun Lee questioned who maintains the lake and Mr. Richards explained that each adjoining property owner maintains the portion attached to their property. Commissioner Haire amended her motion to approve and authorize signature at a later date subject to approval of an ordinance to be signed and put to record in the Recorder's Office. The motion was seconded by Commissioner Parker and passed 3-0.

On July 31st 2003 **Mr. Kenneth Ogden, South Central Indiana Labor Council, Captain Sam Beard and Sergeant Jack Strange** appeared before the Board with a proposal for the Board to approve **Teamsters Local 783** for bargaining agent to the County Jail Employees. At that time Captain Beard asked the Commissioners for an answer if not then, by August 14, 2003. **Mr. Todd Thomasson**, also addressed the Board representing the teamsters. The Commissioners then instructed Secretary/Administrative Assistant Pam Smith to put them on the agenda for this meeting. They returned as agreed and County Attorney Scott Lewis, after reviewing the contract, advised that one problem he found was that the Commissioners do not set the salary or the hours for the County Jail Employees. Captain Sam Beard stated that they are not asking the Commissioners for approval of salary or vacation in regard to this contract. Mr. Lewis also advised that the Commissioners do not have the unilateral right to approve without the County Council's approval. Following the recommendation of County Attorney Scott Lewis a motion was made by Commissioner Lewis to approve and sign said contract subject to the County Council's approval. The motion was seconded by Commissioner Parker and passed 3-0.

A motion was made by Commissioner Parker to approve the appraised values on the **Bridge # 12** project. The motion was seconded by Commissioner Haire and passed 3-0.

At the meeting of July 31, 2003 County Attorney Scott Lewis advised the Board not to sign the **Homeland Security Grant** application because there were items that were not filled in. The Board instructed Secretary/Administrative Assistant Pam Smith to set up a meeting between the Commissioners, County Attorney Scott Lewis and **Mr. Harold Plummer, Director of Civil Defense**, to fill out the remaining portion of the application and get it submitted by the due date September 15, 2003. Mr. Lewis reported that he and the Commissioners met with Mr. Plummer as planned but advised the Board to table approval until the next meeting because Mr. Plummer is waiting for some information needed to complete the application. Commissioner Parker made a motion, seconded by Commissioner Haire and passed 3-0.

At the recommendation of County Attorney Scott Lewis, Commissioner Haire made a motion to table approval of a proposed resolution for **River Economic Development District's** economic development strategy, which must be entered into each year regarding updates that River Hills conducts each year. The motion was seconded by Commissioner Parker and passed 3-0.

A motion was made by Commissioner Parker to approve and sign **Resolution 5-2003** (A Resolution of the Clark County Board of Commissioners Preliminarily Approving Forms of Lease amendments with the Clark County Jail Holding Corporation). The motion was seconded by Commissioner Haire and passed 3-0. (See a copy of the resolution attached.)

Commissioner Parker made a motion to approve and sign two different documents both are **Amendment No. 2 to Leases** between Clark County Jail Holding Corporation and Clark County, Indiana. The motion was seconded by Commissioner Haire and passed 3-0. (See copies of the amendments attached.)

A motion was made by Commissioner Haire to sign and approve the excerpts from the minutes of a meeting of the Board of Commissioners of Clark County, Indiana. This was necessary pursuant to the bond issue. The motion was seconded by Commissioner Parker and passed 3-0.

A motion was made by Commissioner Parker to appoint **Mr. Rex Lockard** and **Mr. Hyun Lee** to the Wage Determination Board for the Jail Project. The motion was seconded by Commissioner Haire and passed 3-0. Commissioner Lewis announced that **Mr. Aaron Stallings**, who was appointed to the Clark County Jail Holding Corporation, could not attend this meeting because of a previous engagement but will attend faithfully in the future.

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

A motion was made by Commissioner Parker to approve the **holiday schedule for 2004**. (See a copy of the schedule attached.)

A motion was made by Commissioner Parker to appoint **Mr. Rex Lockard** to the **Reuse Authority Wage Determination Board**. The Motion was seconded by Commissioner Haire and passed 3-0.

A motion was made by Commissioner Parker to appoint **Mr. Joe Perry** to the **West Clark Community Schools Wage Determination Board** contingent upon his acceptance. The Motion was seconded by Commissioner Haire and passed 3-0.

A motion was made by Commissioner Parker to appoint **Ms. Norma Sue Woods** to the **Clark County Hospital Board of Trustees** for a five-year term ending September 25, 2007. The Motion was seconded by Commissioner Haire and passed 3-0.

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

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA

DAVID LEWIS, PRESIDENT

RAMOND PARKER, MEMBER

VICKY KENT HAIRE, MEMBER

SIGNED THIS DAY

ATTEST:

BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR