

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY INDIANA  
FEBRUARY 12, 2004**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on February 12, 2004 in Room 308, City-County Building, Jeffersonville, Indiana.

President Haire called the meeting to order at 9:00 A. M.

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

The minutes for the meeting of December 8, 2003 and January 5, 2004 were sent to County Attorney Scott Lewis and each of the Commissioners for their review prior to the meeting. In the first order of business a motion was made by Commissioner Lewis to approve and sign the minutes. The motion was seconded by Commissioner Parker and passed 3-0.

County Auditor Barbara Bratcher Haas, duly elected Auditor of Clark County, Indiana has audited the payroll claims in the amount of four hundred twelve thousand three hundred seventy one dollars and three cents (\$412,371.03) and found that they comply with the local salary ordinance established by the Clark County Council and the signature of the proper official is affixed stating that the hours have been worked. However, there is no approved appropriation against which to charge the amount and there is no approved levy from which to pay claims. Auditor Haas submitted the payroll claims for the Board's consideration. A motion was made by Commissioner Parker and passed 3-0.

Ms. Melissa Woods, River Hills Economic Development District, presented the Board with an **invoice** in the amount of one for one thousand thirteen dollars and twenty-five cents (\$1,013.25) for bidding and negotiation services and eighty one dollars and six cents (\$81.06) for construction administrative services each from **The Estopinal Group, Incorporated**. A motion was made by Commissioner Parker to approve payment of the invoices. The motion was seconded by Commissioner Lewis and passed 3-0.

Ms. Melissa Woods, River Hills Economic Development District, presented the Board with an update and a disclosure report on the **CDBG (Community Development Block Grant CF-02-132) for the Center for Lay Ministries**. A motion was made by Commissioner Lewis to approve and authorize President Haire's signature on the report. The motion was seconded by Commissioner Parker and passed 3-0. (See a copy of the report attached.)

Ms. Melissa Woods, River Hills Economic Development District, presented the Board with the **Indiana Department of Commerce (IDOC) Community Development Block Grant (CDBG) Program Subrecipient Semi-Annual Report**. A motion was made by Commissioner Parker to approve and authorize President Haire's signature on the report. The motion was seconded by Commissioner Lewis and passed 3-0. (See a copy of the report attached.)

**Clark County Deputy Rachel Lee** appeared before the Board representing the **Sheriff's Department** on a forfeiture sharing program for the Board to sign. This program will allow the Sheriff to take a percentage of the money taken in a drug related arrest. This money is then to be used for further funding of the drug program. Officer Lee explained that the money can then be used for overtime, supplies or for buy money in drug related investigations. A motion was made by Commissioner Parker to approve and sign this agreement. The motion was seconded by Commissioner Lewis and passed 3-0.

The County **Employee Vision Insurance** was next on the agenda with **Ms. Diane Swank** and Ms. Marsha Miller Smith representing the **Culpepper Group** and **Ms. Connie Kitts** representing the **ACE Committee** (Alliance of County Employees). Ms. Kitts explained that **Mr. Ted Hobson** and **Mr. Dennis Cole** could not attend because the meeting is being held in the morning. Ms. Kitts reported that the majority of employees contracted by ACE chose **Avesis**. Ms. Swank reported that the majority of employees that contacted The Culpepper Group chose the **Guardian Insurance**. County Auditor Barbara Bratcher Haas questioned if the employees could be offered a choice between the two plans. Ms. Swank explained that there would have to be at least twenty-five percent participation for each plan. A motion was made by Commissioner Lewis to offer the employees a choice between Avesis and Guardian Vision insurance plans. The motion was seconded by Commissioner Parker and passed 3-0. A motion was then made by Commissioner Lewis to allow the employees that chose a plan that does not have twenty-five percent participation, the option to sign up for the other plan. (See a copy of the documents handed out by The Culpepper Group and The ACE Committee attached.)

**Mr. Mark Rappe, Seico/Stan Co.**, was next on the agenda and reported that they received notification from **Indiana Department of Transportation (INDOT)** that we have federal funding for the **Star Hill Road Project**. Mr. Rappe presented the Board with a letter of Local Commitment for **Federal Aid** which he explained was required by INDOT. In this letter the County agrees to have the match funds ready and commit to getting the design finished in order to get this project started by January 2006. The form gives the County one year from the date of the letter to get the project started. County Engineer Hyun Lee reported that the County does not have the match fund of approximately two million dollars (\$2,000,000.00) and that he was advised by **Mr. Mike Flint, Flint Group**, that **Congressman Baron Hill** is trying to get a special line item established in the Federal Budget to cover the match funds. Mr. Lee also made a recommendation that the Commissioners look into designating a **TIF (Tax Increment Finance)** district to use the tax revenue to cover the cost of the match funds. Mr. Rappe reported that **Seico/Stran Company** will be attending a meeting in Starlight to start the process of creating the TIF District. Commissioner Parker reported that Mr. Mike Flint told him that everything is in line with the exception of the match funds and he thinks that this will not be a problem. Commissioner President Haire questioned whether anyone has contacted Floyd County and requested help with the funding because this project will eventually benefit their County. If the County does not respond within forty five days we will have to reapply. Mr. Rappe assured the Board that if they sign and submit this letter INDOT will work with them if they run into a stumbling block later and they will require written approval of the change. At the recommendation of County Engineer Hyun Lee, Commissioner Parker made a motion to approve

and sign the letter at this time and meet with the State afterwards. (See a copy of the letter attached.)

A motion was made by Commissioner Lewis to approve and sign a letter of **Agreement** between **Ms. Rebecca Lockard, Attorney**, Clark County Auditor Barbara Bratcher Haas and County Treasurer Richard P. Jones for legal representation on tax sale matters at a rate of ninety five dollars (\$95.00) per hour. The motion was seconded by Commissioner Parker and passed 3-0. (See a copy of the agreement attached.)

A motion was made by Commissioner Parker to approve the proposal from **Bank One** to lease two detective and seven road vehicles for the **Clark County Sheriff's Department** at an interest rate of 2.63% with the first payment due May 2005. **Councilman Jim Smith** reported that the contract will be prepared and sent to County Attorney Scott Lewis for his review. The motion was seconded by Commissioner Lewis and passed 3-0.

**Mr. Rex Jones, WTH**, appeared before the Board with an update on Bridge # 78. He reported that the design should be finished in a couple of months and there were some architectural digs on the site. He also reported that it should be finished by late summer. Mr. Jones also gave a presentation on a GIS System for the County Highway Department. The Commissioners instructed Commissioner Secretary/Administrative Assistant Pam Smith to set up a meeting with Jacobi, Toombs and Lanz to discuss the GIS System that the County has in place at this time. The Commissioners agreed to contact Mr. Jones after that update and County Engineer Hyun Lee agreed to discuss the current GIS System with Jacobi, Toombs and Lantz.

At the recommendation of County Engineer Hyun Lee, Commissioner Parker made a motion to approve the purchase of a new **Tiger Rotary Boom Mower model TRBS-40C Mounted on a New John Deere 5520 two wheel drive tractor** for the Highway Department. County Attorney Scott Lewis advised that a bid process was not necessary on this purchase. The motion was seconded by Commissioner Lewis and passed 3-0.

Commissioner Parker made a motion to approve and sign an agreement between **J & J Development Company, LLC (Lewis and Clark Subdivision )** The Board of Commissioners of Clark County and the Clark County Plan Commission whereas the Plan Commission and Clark County have requested, and Lewis & Clark Subdivision has voluntarily agreed as a condition to subdividing and/or developing the land shown in the preliminary plant of the Lewis and Clark Subdivision (approved November, 2003, by the Plan Commission) to pay the following amount:

- (A) Lewis & Clark Subdivision shall pay to Clark County the total sum of forty-thousand five hundred fifty dollars (\$40,500.00) but not more, as Follows: within thirty days (30) of the completion of the final asphalt in each section, an amount equal to \$250 per lot for that section. (This is based on \$250 per lot of which there are 162 in the total development of Lewis & Clark Subdivision.)

The motion was seconded by Commissioner Lewis and passed 3-0.

County Engineer reminded the Board that **Road School** will be held March 9, 10 & 11 2004.

County Engineer Hyun Lee presented the Board with the plans for **Bridge # 12** for their signatures. The notice to bidders was approved at the previous meeting which was held on January 29, 2004.

For the record County Attorney Scott Lewis presented the **change of meeting notice** and stated that it was handled per Indiana statute.

At the previous meeting **Ms. Karen McCartin Foster** addressed the Board in regard to a building that she and her husband own on **Utica-Sellersburg Road**. At that time Ms. Foster explained that the building sits very close to the road and more than one automobile has crashed into it. Her request is for permission from the County to put a guard rail on county right of way. The Commissioners instructed County Attorney Scott Lewis to research this matter and report back at the next meeting. County Attorney Scott Lewis reported that he and County Engineer Hyun Lee visited the property and asked **Ms. Foster** to provide a copy of a survey which she agreed to provide. Mr. Lee expressed concern about a guard rail interfering with utility easements. No action was taken by the Board at this time.

A motion was made by Commissioner Lewis to approve, contingent upon appropriations in place by the Clark County Council, **contracts** with the following individuals to be paid from the Surveyor's perpetual fund: **Virginia Weidner** and **Chris Rumble** at nine dollars (\$9.00) per hour and **Lewis M. Love III** and **Robert Smith** at fifteen dollars (\$1500) per hour. All three contracts are for field and office services. When asked by the Board whether there is an appropriation in place, Auditor Barbara Haas stated that she did not have that information with her at the meeting. County Attorney Scott Lewis advised that he did not find a conflict of interest in these contracts and explained that all of these employees will provide their own insurance and transportation. The Surveyor's office will furnish the supplies. Commissioner Parker made a motion to second the motion and it passed 3-0. (See copies of the contracts attached.)

County Auditor Barbara Bratcher Haas addressed the Board in regard to the annual **Local Government finance Test** required by the **Indiana Department of Environmental Management**. Ms. Haas reported that she will contact Mr. Jorge Lanz, Jacobi, Toombs & Lanz, for the landfill information needed to submit to the Indiana Department of Environmental Management as has been done in previous years.

Auditor Barbara Bratcher Haas gave the Board a reminder about **GASB 34 (A Requirement Regarding the Value of Infrastructural and the County's Assets.)** The Board instructed County Attorney Scott Lewis to look into this and Auditor Haas agreed to supply Mr. Lewis and County Engineer Mr. Lee with information that she received from **State Board of Accounts**.

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 COUNTY COMMISSIONERS  
CLARK COUNTY, INDIANA

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VICKY KENT HAIRE, PRESIDENT

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RAMOND PARKER, MEMBER

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DAVID LEWIS, MEMBER

SIGNED THIS DAY

ATTEST:

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BARBARA BRATCHER HAAS  
CLARK COUNTY AUDITOR