

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
JULY 29, 2004**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on July 29, 2004 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Vicky Kent Haire, David Lewis, Raymond Parker, County Attorney Scott Lewis, Secretary/Administrative Assistant Pam Smith, and Deputy Auditor 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 minutes for the meeting of June 17, 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, having audited the payroll claims, 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. However, there is no approved appropriation against which to charge the amount and there is no approved levy from which to pay claims. A motion was made by Commissioner Lewis to approve the payroll claims as submitted. The motion was seconded by Commissioner Haire and passed 3-0.

County Auditor Barbara Bratcher Haas, having audited the attached list of vendor claims, found that they have a properly itemized invoice or contract attached and that the proper official has affixed a signature stating that the services have been provided with the exception of the following:

Claims made payable to **American Dental and Southern Indiana Oral and Maxillofacial**, that were requested to be paid from the **Jail Medical Fund**, have been published but no approved appropriations have been made. Therefore, the Auditor recommends that payment of these claims not be allowed by the Board of Commissioners.

However, there is no approved appropriation against which to charge the claims and there is no approved levy from which to pay claims. Commissioner Lewis made a motion to follow the recommendation of the Auditor and approve the claims as submitted with the exception of the above mentioned claim. The total amount of the claims with the exceptions is eight hundred eighty five thousand three hundred sixty one dollars and sixty four cents (\$885,361.64). The motion was seconded by Commissioner Parker and passed 3-0.

Attorney Alan Morris appeared before the Board representing **Mr. Jim Grayson, Grayson Funeral Home**, in regard to vacating a portion of **West Street in New Washington**. Mr. Morris advised that he would see that the proper notification and publication is completed before he returns at the next meeting to present this to the Board for approval. No action was taken by the Board at this time.

Ms. Beth Hall, Culpepper Group, appeared before the Board in regard to the County Property & Liability as well as the **County Workers Compensation Insurance**. Ms. Hall presented the Board with the results from the quotes on the County Workers Compensation Insurance which included a renewal offer from **(IPEP) Indiana Public Employees Plan**. With this information, Commissioner Parker made a motion to renew the policy with IPEP. The motion was seconded by Commissioner Lewis and passed 3-0. Ms. Hall then introduced **Mr. Don Dickerson** who gave a presentation on the property & liability insurance. After a lengthy discussion and the members of the Board expressed their concerns about the fact that they received this information one day before the present insurance plan expires. President Haire tabled discussion of this matter until later in the meeting to allow Commissioner Secretary/Administrative Assistant Pam Smith time to gather documentation needed by the Board before they made their decision.

River Hills Economic Development District was next on the agenda but they did not attend the meeting.

Ms Betty Shields, Clark County Health Department, presented the Board with one **Local Health Department Grant Agreement for Public Health Coordinators** on Grant # 3610-572100-03200A BPRD 109-15 in the amount of sixty three thousand four hundred sixty dollars (\$63,460.00) , another **Local Health Department Grant Agreement** on Public Health Preparedness and Response to Bioterrorism funding that the State has received from the Centers for Disease Control and Prevention in the amount of ten thousand six hundred dollars (\$10,600.00) ,and Amendment # 1 to the existing **USDA WIC Program Contract** for Services increasing the contract by four thousand five hundred thirty three dollars (\$4,533.00) making the new total of the Contract for Services two hundred twelve thousand eight hundred sixty six dollars (\$212, 866.00). At the recommendation of the Health Department and with the assurance from Ms. Shields that these are reimbursable grants and will not require funds from the County General Fund, Commissioner Lewis made a motion to approve all three applications as presented. The motion was seconded by Commissioner Parker and passed 3-0.

Commissioner President Haire called the **Property & Liability Insurance** back before the Board for a decision. Commissioner Parker made a motion to choose **St. Paul** as the County's Property & Liability Insurance provider. The motion was seconded by Commissioner Haire and passed 2-1. Commissioner Lewis voted no to this motion.

Commissioner Parker left the meeting at this time.

Planning and Zoning Resolution 23-2004 (Anthony Ragusa) was called for public hearing. A motion was made by Commissioner Lewis to follow the recommendation of the Plan Commission and approve the resolution changing the zone classification from A-1 to B-2. The motion was seconded by Commissioner Haire and passed 2-0.

Planning and Zoning Resolution 26-2004 (Allen R & Phyllis J Carlton) was called for public hearing. A motion was made by Commissioner Lewis to follow the recommendation of the Plan Commission and approve the resolution changing the zone classification from M-1 to A-1. The motion was seconded by Commissioner Haire and passed 2-0.

Planning and Zoning Resolution 28-2004 (Mainstream Development) was called for public hearing. A motion was made by Commissioner Lewis to follow the recommendation of the Plan Commission and approve the resolution changing the zone classification from A-1 to PUD. The motion was seconded by Commissioner Haire and passed 2-0.

Planning and Zoning Resolution 22-2004 (Sprigler Development Company) was brought before the Board June 17, 2004 and July 1, 2004. The resolution is for a zoning change from B-2 to R-1. Pursuant to the conditions listed in the agreement-memorandum of understanding, Resolution 22-2004 was approved by the Board at the meeting of July 1, 2004. With the approval of County Attorney Scott Lewis, Commissioner Lewis made a motion to sign and execute the Memorandum of Agreement. The motion was seconded by Commissioner Haire and passed 2-0.

Dan and Betty Johnson accompanied **Mabel Johnson** to the meeting in regard to a **cemetery right of way on Perry Crossing Road**. Mr. Johnson reported that the problem of the telephone pole being in the cemetery right of way appeared to have been solved because the pole has been moved. Mr. Johnson also submitted a list of questions to the Commissioners and asked that they answer them at their convenience. No action was taken by the Board. (See a copy of Mr. Johnson's questions attached.)

Mr. Dustin White, Department of Commerce, appeared before the Board with a presentation on the **Energize Indiana & Go Marketing Campaign**.

Mr. Ken Minet, Butler, Fairman & Seufert, Incorporated, who appeared before the Board at the meeting of May 20, 2004 returned to address the Board again in regard to **GASB 34**. Mr. Minet presented the members of the Board with examples of Wayne and Monroe County's capital asset policy. No action was taken by the Board at this time.

County Engineer Hyun Lee reported that the reconstruction of **Covered Bridge Road** will be complete in time for the annual **Wolf Challenge Golf Tournament October 15th and 16th**.

A motion was made by Commissioner Lewis to sign and approve payment of a claim to Strand Associates Incorporated in the amount of nine thousand six hundred seventy two dollars (\$9,672.00) for professional engineering services on the **Star Hill Road Design Project**. The motion was seconded by Commissioner Haire and passed 3-0.

As a result of the recent storms, the **Town of Borden**, in cooperation with **Muddy Fork of Silver Creek Watershed Conservation District and the Natural Resources Conservation Service, USDA**, has been approved for an emergency watershed protection project and the state office of NRCS has set aside funding for this project. Commissioner Lewis made a motion to approve and authorize President Haire's signature on the following three documents which are necessary to move forward with this project: Public Notice, Uniform Land and Easement Acquisition Offer and Temporary Easement. The motion was seconded by Commissioner Haire and passed 2-0.

Subject to approval of funds from the County Council, Commissioner Lewis made a motion to approve and sign a contract between County Surveyor and **Jason E. Graham** for field and office services at rate of nine dollars per hour (\$9.00) and thirty two cents(.32)per mile. Mr. Graham will be a private contractor and not be eligible for county insurance or transportation. The motion was seconded by Commissioner Haire and passed 2-0. (See a copy of the contract attached.)

In regard to the noise ordinance discussed by the Board at the meeting of July 1, 2004 a motion was made by Commissioner Lewis to approve and sign **Commissioner Ordinance 11-2004 (An Ordinance Regulating Noise and Sound Emission)**. Mr. Harold Goodlett addressed the Board in regard to this ordinance representing the Clark County 4-H Board. Mr. Goodlett was assured that there is a provision that allows the Commissioners to exempt a specific event from the rules of this ordinance. The motion was seconded by Commissioner Haire and passed 2-0.

The Commissioners instructed County Engineer Hyun Lee to follow the instructions of the **Amendment # 2 to County Commissioner Ordinance # 2-2004** as discussed at the meeting of July 1, 2004. No action was taken by the Board at this time.

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

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA

VICKY KENT HAIRE, PRESIDENT

RAMOND PARKER, MEMBER

DAVID LEWIS, MEMBER

SIGNED THIS DAY

ATTEST:

BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR