

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
SEPTEMBER 23, 2004**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on September 23, 2004 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Vicky Kent Haire and David Lewis, County Auditor Barbara Bratcher Haas, 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.

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. 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 2-0.

County Auditor Barbara Bratcher Haas stated that she had audited the attached list of vendor claims and 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. 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 vendor claims as submitted. The motion was seconded by Commissioner Haire and passed 2-0.

Ms. Melissa Woods and Ms. Jill Saegesser, River Hills Economic Development District, were next on the agenda and presented the Board with change order # 3 on the Center for Lay Ministries Expansion Project. A motion was made by Commissioner Lewis to approve and sign the claim vouchers for Upton Pry, Inc. on the Center for Lay Ministries Expansion Project. The motion was seconded by Commissioner Haire and passed 2-0.

A motion was made by Commissioner Lewis to sign and authorize payment on Draw Request # 7 in the amount of one hundred forty nine thousand eight hundred twenty two dollars and forty two cents (\$149,822.42) on the Clark County CFF Grant No.CF-02-132 Center for Lay Ministries Expansion. The motion was seconded by Commissioner Haire and passed 2-0.

A motion was made by Commissioner Lewis to approve Invoice # 0106059 for professional services from June 1, 2004 to August 31, 2004 on the Center for Lay Ministries Food Bank. The motion was seconded by Commissioner Haire and passed 2-0.

Commissioner Lewis made a motion to approve and authorize President Haire's signature on the AIC Document G704-2000 Certificate of Substantial Completion on the Center for Lay Ministries Food Bank. The motion was seconded by Commissioner Haire and passed 2-0.

Subject to the review and approval of County Attorney Scott Lewis, A motion was made by Commissioner Lewis to approve a grant application for a Planning Grant on the Lifesprings Turning Point Center and authorize President Haire's signature outside the meeting. Jill Saegesser reported that Lifesprings has agreed to pay any fees that may be due if the grant doesn't go through. The motion was seconded by Commissioner Haire and passed 2-0.

Commissioner Lewis made a motion to approve and authorize President Haire's signature on a letter of intent to submit Planning Application to Mr. Lake, Community Planning Specialist Indiana Department of Commerce Community Development Division. The County wishes to obtain a planning grant from the Indiana Department of Commerce for a feasibility study for the Childplace Specialized Care Unit. The motion was seconded by Commissioner Haire and passed 2-0.

Planning and Zoning Resolution 29-2004 Steve Klein was called for public hearing. No persons spoke to the Board in regard to this resolution. Commissioner Lewis made a motion to follow the recommendation of the Plan Commission and approve Resolution 29-2004 rezoning the property at 7024 Highway 311 from B-1 to B-2. The motion was seconded by Commissioner Haire and passed 2-0.

Planning and Zoning Resolution 30-2004 CCGC Investors, LLC and ICON Properties, LLC was called for public hearing. Commissioner Lewis disclosed a possible conflict of interest and asked County Attorney Scott Lewis's advice in the matter. County Attorney Lewis advised Commissioner Lewis that there would be not be a conflict of interest in this case. No persons spoke in regard to the resolution. When asked by Commissioner President Haire if the roads were designed wide enough for school busses, Attorney Jack Vissing assured the Board that if they are not, the investors would make the correction. Commissioner Lewis made a motion to follow the recommendation of the Plan Commission and approve Planning and Zoning Resolution 30-2004 rezoning the property on Memphis-Blue Lick Road from A-1 to PUD. The motion was seconded by Commissioner Haire and passed 2-0.

A motion was made by Commissioner Lewis to approve and sign Amendment # 9 to Ordinance No. 10-1998 (An Ordinance Amending the Zoning Ordinance for Clark County, Indiana). The motion was seconded by Commissioner Haire and passed 2-0.

At the recommendation of Ramona Bagshaw, Executive Director of Clark County Planning and Zoning, Commissioner Lewis made a recommendation to approve new zoning fees as follows:

Change		
	Zoning Change Request to Plan Commission Petition	\$400.00
Add		
	PUD Petition	\$400.00
	PUD Primary Plat	\$400.00
	PUD Final	\$400.00
	Single Family Residential Use	\$20.00 per lot
	Multi-Family Complex	\$20.00 per unit
	Business Designated Use	\$60.00 per lot
	Industrial Designated Use	\$120.00 per lot
	Public Notification Sign	\$10.00

The motion was seconded by Commissioner Haire and passed 2-0

Sheriff Becher was next on the agenda to discuss payment for inmate insurance, but did not attend the meeting. Commissioner Lewis made a motion to table decision on the inmate insurance until the next meeting which will be October 7, 2004. Commissioner Haire seconded the motion and it was passed 2-0.

In regard to change order # 4 on the Perry Crossing Road project approved and signed by the Board at the meeting of August 26, 2004, County Engineer Hyun Lee reported that the change order was denied by The Indiana Department of Transportation. When asked about the 3-1 slope that was discussed at that meeting, Mr. Lee explained that he does not have an answer at this time. Commissioner Lewis stated that the ditch that is not at the proper slope must be fixed. No action was taken by the Board.

Commissioner Lewis made a motion to approve and sign Ordinance No. 15-2004 Amending Ordinance No. 7-1983 (An Amendment to Article 6-2 of the Clark County Traffic Ordinance Adding the Intersection of Old State Road, Staton Road and Hebron Church Road to the list of Multiway Stop Intersection). The motion was seconded by Commissioner Haire and passed 2-0.

At the recommendation of County Engineer Hyun Lee, Commissioner Lewis made a motion to approve and sign a letter to Mr. David J. Stinson Developer of Riverside Subdivision Unit # 7 instructing Mr. Stinson that a two year maintenance bond amount of eight thousand dollars (\$8000.00) must be posted and that he as developer has the responsibility of maintenance for two years including street paving, drainage, snow removal and traffic signs. The motion was seconded by Commissioner Haire and passed 2-0.

A motion was made by Commissioner Haire to select Farrar, Garvey & Associates LLC as the Engineer Firm on the Bridge Replacement on Charlestown New Market Road. The motion was seconded by Commissioner Lewis and passed 2-0.

County Engineer Hyun Lee reported that there will be a public hearing on the Star Hill Road Project.

A motion was made by Commissioner Lewis to sign and approve payment of a claim to Strand Associates Incorporated in the amount of sixteen thousand seventy three dollars sixty cents (\$16,073.60) for professional engineering services on the **Star Hill Road Design Project**. The motion was seconded by Commissioner Haire and passed 2-0.

A motion was made by Commissioner Lewis to approve and sign Resolution 4-2004 (Resolution Releasing Lien Agreement) executed by Mollie E. Cochran in favor of Clark County Commissioners in the principal amount of thirteen thousand four hundred four dollars (\$13,404.00). The motion was seconded by Commissioner Haire and passed 2-0.

Commissioner Lewis made a motion to approve a contract with Intergrator.com for a security system retro fit at the Clark County Juvenile Detention Center. County Attorney Scott Lewis reported that the amount of the contract is less than the required statutory amount which would require a bid process. Commissioner President Haire reported that she attended a meeting about this and learned that this system will work well with the jail system and replacement parts can be purchased in Louisville. Commissioner Lewis made a motion to approve the contract, subject to approval of County Attorney Lewis after his review, and authorize President Haire's signature outside the meeting. For verification it was reported that the funding for the contract will be paid from the Juvenile Detention Per Diem Fund. The motion was seconded by Commissioner Haire and passed 2-0.

Commissioner Lewis made a motion to approve and sign a Commercial Sub-Lease in which the City of Jeffersonville will be subtenant in the lease between Clark County and the Jeff-Clark Building Authority and forward the lease to the City of Jeffersonville as well as the Jeff-Clark Building Authority for approval. The Board instructed County Attorney Lewis to include a cover letter with the deadline of October 7, 2004 for approval and signature by the City of Jeffersonville. The motion was seconded by Commissioner Haire and passed 2-0. For clarification, because the County Council has included the money from this lease in the County Budget, County Auditor Barbara Haas questioned if the lease will be renegotiated each year. County Attorney Lewis stated that it would be renegotiated each year.

County Engineer Hyun Lee reported that he did not have any subdivision bonds reports to bring before the Board at this time.

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

County Auditor Haas reported that her office has received a number of calls requesting copies of Commissioner's Ordinance No. 11 2004 (An Ordinance Regulating Noise and Sound Emission).

In regard to **Planning and Zoning Resolution 22-2004 (Sprigler Development Company)** which was brought before the Board June 17, 2004 and again July 1, 2004 for a zoning change from B-2 to R-1 County Auditor Haas asked if the Board had received new information. At the meeting of July 1, 2004 pursuant to the conditions listed in an agreement-memorandum of understanding, The Board moved to follow the recommendation of the Plan Commission and approve Resolution 22-2004. When Mr. Phil Milton addressed the Board with the question of what would happen if Mr. Sprigler was not successful in having the residential real estate removed from the Economic Development District, the Board then moved that in the event that Mr. Sprigler is unsuccessful in having the real estate removed, the request to re-zone shall be deemed to have been denied. County Auditor Haas informed the Board that her office had not yet received the necessary documentation to remove the residential real estate from the Economic Development District. Commissioner Lewis reported that this matter was on the agenda of the Clark County Plan Commission at their last meeting, but it was removed because they had not resolved it yet.

Commissioner Lewis made a motion to approve the polling locations for the November election with no changes from the primary election. The motion was seconded by Commissioner Haire and passed 2-0. (See a copy of the polling locations attached.)

Due to the death of Mr. Louis Garrett, the Board will need to make an appointment to finish out the term on the New Washington Fire Protection District Board. Commissioner Lewis made a motion to table the appointment until the next meeting which will be held October 7, 2004. The motion was seconded by Commissioner Haire and passed 2-0.

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

absent

RAMOND PARKER, MEMBER

DAVID LEWIS, MEMBER

SIGNED THIS DAY

ATTEST:

BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR