

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
AUGUST 10, 2006**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on August 8, 2006 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Edward Meyer, Vicky Kent Haire and Ralph Guthrie, Auditor Barbara Bratcher Haas, County Attorney Daniel Moore, Secretary Kristi James, and Deputy Auditor Theresa James.

The minutes from the meeting July 27, 2006, having been mailed to the Commissioners and Mr. Moore prior to the meeting, were presented to the Board for approval. Commissioner Haire made a motion to approve the minutes as presented. The motion was seconded by Commissioner Guthrie and passed 3-0.

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. A motion was made by Commissioner Guthrie to approve the payroll claims as submitted. The motion was seconded by Commissioner Haire and passed 3-0.

At the recommendation of County Engineer Hyun Lee, Commissioner Guthrie made a motion to grant an extension on the road closing of **Boyer Road** for replacement of bridge # 97 from August 8, 2006 to September 9, 2006. The motion was seconded by Commissioner Haire and passed 3-0.

At the recommendation of County Engineer Hyun Lee, Commissioner Guthrie made a motion to approve and sign an Interlocal Agreement with the **Town of Borden for Road-Related Services**. The motion was seconded by Commissioner Haire and passed 3-0.

County Engineer Hyun Lee presented the Board with the **Annual Preliminary Road Widening List** for their review. No action was taken at this time.

At the recommendation of **Laura Dixon, River Hills Economic Development District**, Commissioner Haire made a motion to approve and sign Commissioner's **Resolution 4-2006** (A Resolution of the Clark County Board of Commissioners, Indiana Authorizing the Approval of the Childplace Specialized Care Unit Feasibility Study Planning Grant Report to the Indiana Office of Community and Rural Affairs and Addressing Related Matters) and other related documents related to the Childplace Planning Grant. The motion was seconded by Commissioner Guthrie and passed 3-0.

Margaret Morton presented the Board with a copy of the Clark County Council's Minutes from the meeting in which they moved to send a letter to the Commissioners authorizing additional appropriations in the amount of twelve thousand five hundred dollars in 2006 and twenty five thousand dollars in 2007 for a contribution to the **Clark County Spay and Neutering of Clark County**. Commissioner Haire made a motion, subject to receiving said letter and review and approval from Mr. Moore, to authorize Ms. James to prepare the proper paperwork for an additional appropriation for twelve thousand five hundred dollars to contribute to the Spay and Neutering of Clark County. The motion was seconded by Commissioner Guthrie and passed 3-0.

Mr. Michael Travis Clapp presented the Commissioners with a petition with two hundred seventy six signatures for the legalization of ATVs on public roads non-urban areas of Clark County Indiana. Mr. Clapp explained that in other counties where ATVs are legal on public roads non-urban areas they pay a thirty dollar for a three year sticker and registration permit. The proceeds from the permit go to the **DNR for State Parks**. The operator must have a valid driver's license and if the operator is under the age of eighteen they must wear a helmet. The ATV must be equipped with head lights and tail lights. Mr. Clapp also, informed the Board that this petition has the support of Clark County Conservation Officers. When asked by the Commissioners, Sheriff Becher stated that this is a complex issue which needs extensive research. The Commissioners appointed a task force comprised of Sheriff Becher, Mr. Moore and Commissioner Guthrie to meet with Mr. Clapp, and make a recommendation to the Board.

George Brunner, AIA and Patricia Romiti, Director of Business Development, Architura Architecture Planning and Design Creation, made a presentation and gave a brief example of their work.

Regarding an ongoing drainage problem in the **Sterling Oaks Subdivision**, the Commissioners discussed the situation and what would be needed to solve it to the taxpayer's best interest. Mr. Moore advised that this is not a common issue because it involves individual homeowner and detention basins as set by the subdivision plat. Mr. Moore suggested that County Engineer Hyun Lee visit the site and research the Security Bond that was submitted by the developer and report back to the Board at the next meeting.

Commissioner Guthrie made a motion to ratify the signing of **Memorandum of Lease Agreement** with the City of Jeffersonville for the two thousand nine hundred twenty (2,920) square feet of space to be used only as evidence storage room for a lease term of ten years and four months. For the record the lease was approved by the County Council, as to form and content some months ago. The motion was seconded by Commissioner Haire and passed 3-0.

With approval from Mr. Lee, Commissioner Haire made a motion to approve an **Interlocal Agreement (Fringe Area, County of Clark and City of Jeffersonville)** with respect to the exercise by the City of two mile fringe zoning jurisdiction, in the unincorporated county. The motion was seconded by Commissioner Guthrie and passed 3-0. For verification Auditor Haas questioned where the money from the interlocal lease agreement with Jeffersonville will be deposited. The Board verified that it would go into the general fund. Mr. Moore was advised he was to do more work on this product.

At the request of **Sheriff Becher**, upon a motion by Commissioner Guthrie and seconded by Commissioner Haire the Board declared an emergency situation to exist that demands immediate action. Pursuant to IC.36-9-15.5-8 (C) the Board found it necessary, to protect the public health, welfare or safety, to expend money from the **Cumulative Capital Development Fund** in the amount of forty thousand dollars to pay already worked overtime in the Sheriff's Office. Sheriff Becher stated that he had made the request to the County Council and was denied. The Commissioner stated that they are of the opinion that this overtime should be paid from the general fund. The motion passed 3-0. **Sheriff's Secretary Connie Kitts** agreed to prepare the necessary paperwork for the County Council's next meeting.

Sheriff Becher gave an update on the new jail stating that he has three hundred fifty three inmates in the jail at this time and only thirty five housed out of county. Sheriff Becher stated that there should be space for all the inmates when the construction is complete. The Commissioners expressed their appreciation for the Sheriff's efforts during the construction and the move. Sheriff Becher commended his staff for the outstanding job that they did in this move.

Sheriff Becher gave an update on the **contingency fund** in the amount of one hundred fifty thousand dollars (\$150,000.00) set up for the Sheriff's use in making the move into the new jail. Sheriff Becher stated that the spending has over exceeded the fund and he will have no alternative but to come back before the Board when he receives the bills. Sheriff Becher did not ask for action from the Board at this time. Mr. Moore advised that fund # 2 was set up from the EDIT fund and volunteered to contact Greg Read, Attorney for the Jail Board.

Auditor Haas reported that they have been through the complete procedure to establish the **bridge fund** and she received notification from the State that the fund has been set at five cents as requested by the Board.

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Auditor Haas advised the Commissioners that form 1 for the General Obligation Bond Jail Debt has not been filed for the 2007 budget and if it is not filed before publication the funds will not be available in the budget. Auditor Haas, also advised the Board that the paperwork for the jail tax rate was submitted to all be funded by the EDIT fund instead of the way it was set up which was to continue for seven hundred eighty thousand dollars (\$780,000.00) per year off the tax rate and one million seven hundred sixty thousand dollars (\$1,760,000.00) from the edit fund. Commissioner Guthrie made a motion to instruct Mr. Moore to assist their staff in preparing and submitting the proper paperwork before the publication date. The motion was seconded by Commissioner Haire and passed 3-0.

The Commissioners instructed **Secretary Kristi James** to submit the necessary paperwork to pay thirty one thousand dollars (\$31,000.00) from the EDIT fund for relocation of cabling in the jail.

Regarding the sketches from Magistrate Abbott,(labeled proposed layout # 2) the one proposed by **Judge Blau** that would encompass use of a jury room by either Superior 2 or 3,was the object of the motion to table. Commissioner Haire made a motion to table until December 28, 2006. The motion was seconded by Commissioner Guthrie and passed 3-0.

Mr. Moore submitted a letter for the record from **Hospital Board Attorney Ernest Smith** containing the Hospital Board appointment information needed for the Board to make decisions on appointments. No action was needed at this time.

Commissioner Guthrie made a motion to amend **Commissioner's Ordinance No. 5-2006** correcting a missing word in paragraph 2. The motion was seconded by Commissioner Haire and passed 3-0.

Sheriff Becher was invited and agreed to join the Commissioners at the next Council meeting when they discuss the jail third floor work release construction project. Mr. Moore stated that he had also invited **Attorney Greg Reed** and the architectural firm to attend the meeting.

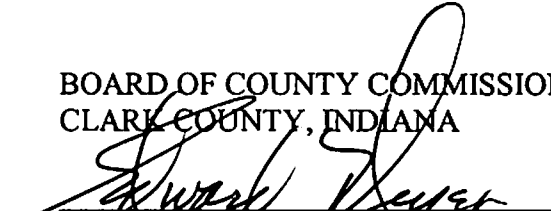
Upon a motion by Commissioner Guthrie and seconded by Commissioner Haire the Board declared an emergency situation to exist that demands immediate action. Pursuant to IC.36-9-15.5-8 (C) the Board found it necessary, to protect the public health, welfare or safety, to expend money from the **Cumulative Capital Development Fund** in the amount of fifty six thousand one hundred ninety five thousand dollars and sixty seven cents (\$56,195.67) to pay various expenses. The motion passed 3-0.

Mr. Moore reported to the Board that he entered into the second round of negotiations with **Judge Carmichael** who agreed that chairs from the City Courtroom could be sold for forty dollars (\$40.00) each. Commissioner Guthrie made a motion to appropriate the cost of the chairs from the Cumulative Capital Development Fund and purchase the chairs. The motion was seconded by Commissioner Haire and passed 3-0.

To the extent the Board held an executive session of any type under (I C 5-14-1.5-6) or otherwise, the Board hereby certifies that no subject matter was discussed therein except that posted in the notice for session or meeting (I C 5-14-1.5-6.1).

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

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA


EDWARD MEYER, PRESIDENT


VICKY KENT HAIRE, MEMBER


RALPH GUTHRIE, MEMBER

SIGNED THIS DAY

ATTEST:


BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR