

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
AUGUST 23, 2007**

The Board of County Commissioners of Clark County, Indiana, met in Regular Session on August 23, 2007, in Room 404, Clark County Government Building, Jeffersonville, Indiana.

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

Approval of Minutes

The minutes from the meeting of July 26, 2007, having been mailed to the Commissioners and Mr. Moore prior to the meeting, were presented to the Board for approval. Commissioner Moore made a motion to approve the minutes as presented. The motion was seconded by Commissioner Guthrie and passed 3-0.

Approval of Claims

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 proper official has affixed a signature stating that the hours have been worked and the amounts are due. A motion was made by Commissioner Moore to approve the payroll claims as submitted. The motion was seconded by Commissioner Guthrie and passed 3-0.

County Auditor Barbara Bratcher Haas stated that she had audited the current 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. At a motion made by Commissioner Guthrie, seconded by Commissioner Moore and a vote of 3-0, the Board voted to approve the claims as submitted.

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No Public Comments

Major Chuck Adams was next on the agenda to discuss the purchase of a county vehicle but did not attend the meeting. The Board moved to table this matter until the next meeting which will be held September 6, 2007.

Mr. Michael Garza, 1303 Serenity Drive, Memphis, Indiana, attended the meeting as spokesperson representing a group of homeowners at **Sunset Hills Subdivision**. Mr. Garza stated that there are serious drainage problems as well as the roads only have a base coat that is in need of repair and overgrown lots. Mr. Garza stated that they tried to go to the Drainage Board regarding their problems, but were told that because their subdivision was approved before the Drainage Board was formed, there is nothing that the Drainage Board can do for them. Mr. Garza stated that it is their understanding that the subdivision bond has expired with these issues unresolved and the developer went to solvency. Mr. Garza offered pictures for the Board to review.

The Commissioners agreed to instruct Engineer Hyun Lee to talk to the developer about the drainage. The Commissioners instructed County Engineer Hyun Lee to work with the taxpayers in an effort to resolve the problem. Mr. Lee responded stating that **Mr. Sprigler, Developer of the Subdivision**, has a meeting planned next week regarding the problems.

At the request of Attorney Moore, the Board instructed County Engineer Lee to provide them with a memo including the facts in this matter. At the request of Attorney Moore, Mr. Garza agreed to provide the Board with a written file of the group's complaints. Commissioner Moore stated that he would like to be notified of upcoming meetings regarding this subdivision.

Ms. Tammy Ross, 13131 Sunny Brook Road, Memphis, Indiana, questioned what laws were in place to protect the residents in Sunset Hills Subdivision regarding these complaints and **Tracy Garzo** questioned why they had to wait. **Mr. Aaron Rogers, 13145 Sunnybrook Drive, Memphis, Indiana,** stated that the drainage problems in **Sunset Hills Subdivision** are a safety and health hazard to the children in the subdivision.

The Commissioners agreed to look into the drainage problems. Commissioner Guthrie stated that if they find that there are drainage problems that the developer will not fix, the Commissioners will take legal action against the developer. The group agreed to return to the Commissioner's Meeting in one month. No action was taken by the Board at this time.

Auditor's Report

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

Attorney Report

A motion was made by Commissioner Meyer and seconded by Commissioner Guthrie to approve and sign a **Petition of Landowners on Cabin Hill Road** to work with Clark County Highway Department regarding the road paving project. The motion passed 3-0.

Commissioner's Ordinance

At the recommendation of Attorney Moore, Commissioner Guthrie made a motion to approve and sign **Commissioner's Ordinance 10-2007** (An Ordinance Creating Local Aviation Grant Tracking Fund). The motion passed 2-1 with a no vote from Commissioner Moore.

Clark County Airport

At the recommendation of Attorney Moore, Commissioner Meyer made a motion to send a letter of support to the **Clark County Council** and **Clark County Air Board** for an airport manager and assistant manager for the **Clark County Airport in the Clark County Air Board Budget**. The motion was seconded by Commissioner Guthrie and passed 2-1 with a no vote from Commissioner Moore. For the record, Commissioner Meyer stated that the letter would be prepared by Commissioner Secretary Kristi James and sent out from the Commissioner's Office.

Lifespring Mental Health Contract

Upon a motion by Commissioner Meyer 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 one hundred eleven thousand three hundred fifty dollars (\$111,350.00) to pay the 2005 **Lifesprings Contract** for jail inmates. **Mr. Lavoise Davis** addressed the Board regarding said Contract. Commissioner Moore stated that in the past he had questioned whether the minutes showed that Dr. Pearson had stated that **Lifesprings** did not expect payment for the year of 2005. County Auditor Haas stated that she had not been asked to research the minutes to find this information. Commissioner Moore proceeded to ask Auditor Haas to research the records for that statement by Dr. Pearson. The motion to 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 one hundred eleven thousand three hundred fifty dollars (\$111,350.00) to pay the 2005 **Lifesprings Contract** for jail inmates was seconded by Commissioner Guthrie and passed 2-1 with a no vote from Commissioner Moore.

County Contacts

Auditor Haas stated that it is very important that future **county contracts** approved by the Commissioners state how the Auditor is instructed to make the payments for the contract, whether monthly, quarterly, annually or other payments.

Appointments

A motion was made by Commissioner Guthrie and seconded by Commissioner Meyer to appoint **Les Kavanaugh** to the **Drainage Board**. The motion passed 2-1 with a no vote from Commissioner Moore.

Mr. Stephen Lewis and **Mr. Robert Walker** made a presentation to the Board for an **identity theft benefit** to the County Employees at a payroll deduction cost to the employees of twenty five dollars and ninety cents

(\$25.90) per month. The Commissioners stated that they would get in touch with these gentlemen if they are interested.

Mr. Curtis Cooksey, Hamilton Accounts Services, Inc., made a presentation and a request for the Board's approval on a contract with the **Clark County Clerk's Office** for collection, billing and action allowed by law to recover money due on said accounts. Attorney Moore advised that Mr. Cooksey bring a letter of support from Clark County Judges and prosecutors. Auditor Haas requested that the Commissioner's remember the change in office holders January 2008 when considering a contact for the Clerk or the Auditor's Office.

Auditor Haas reported that the **2007 Tax Sale** took place August 7, 2007, and twenty seven properties did not sell. Auditor Haas stated that representatives from **SRI** are on the agenda for a future meeting to report on new legislation regarding the disposal of these unsold properties.

Jorge Lanz, Jacobi, Toombs and Lanz, gave an update on the **Salem Noble Road Project**. At the request of Mr. Lanz, Commissioner Guthrie made a motion to approve and sign the request to the State for approval. The motion was seconded by Commissioner Meyer and passed 2-0-1. Commissioner Moore abstained from the vote.

Commissioner Guthrie made a motion to amend the **Edit Plan** to allow one time up to two hundred thousand dollars (\$200,000.00) to pay the contract fees with **Fuller, Mossberger, Scott and May** for stormwater drainage engineering services. The claims are to be submitted to the Commissioner's Office by **Steve Hall, FMSM (Fuller, Mossberger, Scott and May)** and then submitted by the Commissioners to the Auditor's Office. The motion was seconded by Commissioner Moore and passed 3-0.

Commissioner Moore made a suggestion that the Commissioners provide equipment to be used to correct a small drainage problem by digging a detention pond and drainage ditch in **Georgia Crossing Subdivision**. Commissioner Moore reported that the Drainage Board Members expect to be able to hire someone to run the equipment for approximately three to five hundred dollars.

Attorney Moore reminded the Board of the number of times that he has requested that **Steve Hall and Brian Dixon, Drainage Board President**, provide the enabling language that the Drainage Board has suggested defining the link between the Commissioners and the Drainage Board. The Board instructed County Engineer Hyun Lee to meet with Commissioner Meyer, Commissioner Moore and Drainage Board President Brian Dixon to look at the project and report at the next Commissioner's Meeting as well as a written report to Attorney Moore. At the request of the Board, Auditor Haas agreed to look into the Drainage Board's funding.

A motion was made by Commissioner Meyer and seconded by Commissioner Guthrie to hire a **Planner and Economic Development District Person to be paid from fund #297 Clark County Redevelopment Supplemental Fund**. The motion passed 2-1 with a no vote from Commissioner Moore.

Mr. Mark Rappe, Strand Associates, gave an update on the **Star Hill Road Project**. When asked, Mr. Rappe stated that construction should start in 2009 and take three years to complete.

At the recommendation of County Engineer Hyun Lee, Commissioner Guthrie made a motion to sign and approve the **Indiana Department of Transportation-Local Public Agency Construction and Project Management Contract**. The motion was seconded by Commissioner Moore and passed 3-0.

At the recommendation of County Engineer Hyun Lee, Commissioner Guthrie made a motion to approve and sign **Supplemental Agreement No. 1** between Clark County Indiana and **Beam, Longest and Neff, LLC, Consulting Engineers** for professional engineering services. The motion was seconded by Commissioner Meyer and passed 3-0.

Commissioner Moore made a motion to deny the request from **Mike Meyer, Clark County Health Department**, enter into an agreement where the Health Department would pay the manpower and materials to pave the parking lot of the property that the **Health Department** rents. The motion to deny the request was seconded by Commissioner Guthrie and passed 3-0.

The Board moved to recess the meeting until Friday August 25, 2007 at four o'clock.

Public Hearing Meeting

Commissioner President Meyer opened the Public Hearing Meeting for the approval of a form of a lease and taking other actions in connection with plans for necessary repairs, rehabilitation, improvements, and equipping of the County Government Building at four o'clock Friday August 25, 2007. Proof of publication was submitted for the record.

Public Comment

Ron Smith asked the Commissioners to save the taxpayers as much money as they can in this project and questioned what they intended to do with the thirteen million dollars. In response to Mr. Smith's questions Commissioner President Meyer stated that they intend to repair roofing, piping, new prisoner corridor.

The Public Hearing was formally closed after no further public comment was made.

THE REGULAR MEETING OF THE COUNTY COMMISSIONERS WAS RECONVENED ON FRIDAY, AUGUST 25, 2007 AT 4:00 P M

The Board of County Commissioners of Clark County, Indiana, reconvened in Regular Session on August 25, 2007, at 4:00 P M in Room 404, Clark County Government Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Edward Meyer, Ralph Guthrie, and Mike Moore, County Auditor Barbara Bratcher Haas, Attorney Dan Moore, and Deputy Auditor Theresa James.

A motion was made by Commissioner Meyer and seconded by Commissioner Guthrie to approve and sign **Commissioner's Resolution 4-2007 (A Resolution of the Board of Commissioners of Clark County, Indiana Making a Preliminary Determination to Enter Into a Lease and Taking Other Actions Related Thereto)**. The motion passed 2-1 with a no vote from Commissioner Moore.

A motion was made by Commissioner Meyer and seconded by Commissioner Guthrie to approve and sign **Commissioner's Resolution 5, 2007 (A Resolution of the Board of Commissioners of Clark County, Indiana Approving a Form of Lease and Taking Other Actions in Connection Therewith)**. The motion passed 2-1 with a no vote from Commissioner Moore.

The special meeting of the Building Authority was called to order with the Commissioner's present.

The members of the Building Authority unanimously approved the form of a lease.

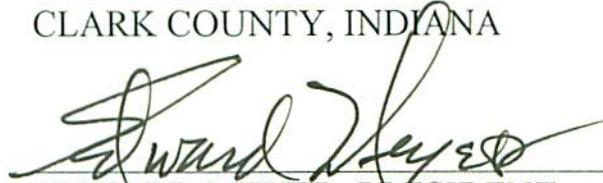
The special meeting of the Building Authority was adjourned.

A motion was made by Commissioner Moore and seconded by Commissioner Guthrie to follow the recommendation of **Joe Olson, Clark County Insurance Agent of Record** and approve payments of insurance claims from the County insurance funds. The motion passed 3-0.

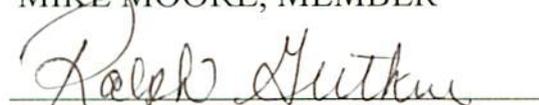
To the extent the Board held an executive session of any type under (I C 5-14-1.5-6) or otherwise, the Board hereby certifies that no subject matter was discussed therein except that posted in the notice for session or meeting (I C 5-14-1.5-6.1).

There being no further business to come before the Board, a motion was made by Commissioner Guthrie and seconded by Commissioner Moore to adjourn. The motion was passed 3-0.

BOARD OF CLARK COUNTY
COMMISSIONERS
CLARK COUNTY, INDIANA


EDWARD MEYER, PRESIDENT

MIKE MOORE, MEMBER


RALPH GUTHRIE, MEMBER

SIGNED THIS DAY *Oct 18, 2007*

ATTEST:


BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR

