

REGULAR MEETING

CLARK COUNTY BOARD OF COMMISSIONERS

January 31, 2013

The Board of County Commissioners of Clark County, Indiana met in Regular Session on January 31, 2013 at 5:00 p.m. in Room 404, Clark County Government Building, Jeffersonville, Indiana.

Present at the meeting were Commissioners – Jack Coffman and John Perkins, County Auditor R. Monty Snelling, County Attorney Jake Elder, Commissioners' Secretary Allison Richey and Payroll Clerk Mischell Settles. Commissioner Rick Stephenson was absent.

Pledge of Allegiance and prayer was led by Jack Coffman.

Approval of Minutes

County Auditor R. Monty Snelling presented minutes from the December 20, 2012, January 3, 2013 and January 17, 2013 meetings. Commissioner Perkins made motion to approve. Commissioner Coffman seconded. Motion approved 2-0.

Amendment to the Agenda

- A.** Delete item B-Diane Swank Employee Benefits
- B.** Add appointments after item P

Commissioner Perkins made motion to approve amendments to the agenda. Commissioner Coffman seconded. Motion approved 2-0.

Approval of Claims/Payroll

County Auditor presented claims and payroll for February 6, 2013 for approval as submitted by the officeholders and department managers stating all figures had been signed, verified and funds are available. Commissioner Perkins made motion to approve. Commissioner Coffman seconded. Motion approved 2-0.

Public Comments Relating to the Agenda - None

I. Administrative Agenda

A. Auditor Snelling stated by the direction of the Commissioners the County's contribution to the Health Savings Account for the next six months will be on the February 6, 2012 payroll.

B. Barbara Swank-Gallagos & Edward Culpepper Cooper, Neace Lukens appeared before the Board to give a timeline on the 2013 renewal. Ms. Swank-Gallagos stated they would like to review claims experience with the Commissioners in February so they can start working on renewal in March.

C. Steve Klein appeared before the Board to discuss making 7022 St. Road 131 a County right-of-way. He stated he would like to dedicate this property to the County. Commissioner Coffman stated he would like the David Blankenbeker, County Surveyor to take samples for asphalt and would like the island removed if it becomes County property. Commissioner Coffman also stated he would like core samples taken. Commissioner Perkins made motion to have Jim Ross, Hyun Lee and Brian Dixon, County Engineer to go out and inspect the property before they give Mr. Klein an answer. Commissioner Coffman seconded. Motion approved 2-0.

D. William Fehribach, 104 N. Ferguson St, Henryville appeared before the Board to state his concerns with Clark County Planning & Zoning Office and Clark County Board of Planning Board of Appeals. He also asked that an immediate stop work order be issued at 103 E. Colonial Way, Henryville. He stated ordinances are not being followed at this location. Commissioner Coffman asked Attorney Elder to look into Mr. Fehribach situation.

E. Patricia Vogt, 6509 Charlestown Pike, Charlestown appeared before the Board to discuss the Southern Indiana Treatment Center. She presented a 2008 Mediation Settlement Agreement between the Board of Commissioners and Southern Indiana Treatment Center, Inc. She asked who is responsible for seeing the Center is doing what is stated in the agreement. She stated the following are some of the things that are happening that are against the agreement: 1) no hours posted at the location, 2) operations were supposed to be five days a week and they are now operating seven days a

week and 3) there are no marked police cars at the location from 3:30 a.m. – close.

Ms. Vogt stated the traffic light has helped but still hasn't done away with the traffic nightmare when the center is in operation. She asked why the road was paved for employees' parking to John Datillo's driveway when the main road that is use more frequently remains unevenly paved. Commissioner Perkins stated this had to be paved because a tenant of Jim Ross, a resident in that area couldn't receive mail delivery unless it was done. He stated the postman didn't have a turn around and therefore wouldn't deliver her mail.

Commissioner Perkins stated he is very familiar with the center and he would like to do anything they can to enforce the agreement. Ms. Vogt again asked who watches and keeps tabs on the business. Commissioner Perkins stated he would have law enforcement enforce what is in the agreement.

Ms. Vogt presented a letter that was given to her husband from previous Commissioner Meyer that stated a fence would be installed. She stated there have been incidents where someone running from police has come in her yard. She stated she feels the fence that was promised would detour them.

Commissioner Perkins asked Attorney Elder to review the agreement and research the Center. He asked Ms. Vogt to come back to the February 28th meeting.

F. Pat Cleary, Clark State Forest appeared before the Board to present a \$57,377.01 check from timber proceeds. He stated 15% of the timber sold goes back to the County. He stated proceeds are higher this year because of the Henryville tornado. Mr. Cleary stated at least \$1,000.00 will go to the volunteer fire departments. He stated the Commissioners can elect to pay more than the \$1,000.00.

G. Commissioner Jack Coffman presented Amendment No. 1 to Road Transfer Memorandum Of Agreement Between The Indiana Department Of Transportation And The County of Clark, Indiana Concerning The Transfer OF Portions of S.R. 111, 160, 203, 311, 403 And

Old S.R., 60X, And S.R. 62X Bridges Over Silver Creek. EDS No. A249-2-320838. He stated the agreement between the County and INDOT is an estimated cost of \$2,000,000.00. He stated the County has to match \$400,000.00. Commissioner Coffman stated since the County took over approximately 18 miles of highway and five bridges the County received \$500,000.00. He stated the balance of the funds available to the County that can be used for matching is \$4,600,000.00 and can only be used for matching project. He stated that INDOT is wanting to move forward quickly on this project because it effects the bridge project.

Commissioner Perkins asked if the cost should be split between the County, City of Jeffersonville and Town of Utica. Hyun Lee stated that it should be split 1/3 each. Commissioner Perkins asked if the other municipalities have come forward with money. Hyun Lee stated they have not. Commissioner Perkins made motion to approve and to allow Commissioner Stephenson to sign outside the meeting. Commissioner Coffman seconded. Motion approved 2-0.

Commissioner Coffman stated the \$4,600,000.00 is not cash money available to the County. He stated INDOT has complete control over the money. He also stated the money must be used June 2015.

Commissioner Coffman presented Indiana Department Of Transportation-Local Public Agency Project Coordination Contract EDS #A249-13-320575 Des. No. 1382057 CFDA #:20.205 for approval. Commissioner Perkins made motion to approve and to allow Commissioner Stephenson to sign outside the meeting. Commissioner Coffman seconded. Motion approved 2-0.

H. Commissioner Perkins made motion to approve Ordinance No. 1-2013 An Ordinance Re-Establishing The Clark County Drainage Board. Commissioner Coffman seconded. Motion approved 2-0.

I. Commissioner Perkins made motion to approve Resolution No. 1-2013 A Resolution Amending The Job Description For The Commissioners' Administrative Assistant To Include Paralegal And Administrative Responsibilities For Clark County Commissioners' Attorney. Commissioner Coffman seconded. Motion approved 2-0.

J. Attorney Elder presented the yearly Covered Bridge Certification for approval. Commissioner Perkins stated there are no covered bridges in

Clark County and made motion to sign the certificate. Commissioner Coffman seconded. Motion approved 2-0.

K. Matters tabled from prior meeting:

1. Ameresco tabled to the February 14th meeting.
2. New Washington Fire Protection District tabled to the February 14th meeting.
3. Brad Meixell Clark County 911 appeared before Board regarding the 911 Contract Addendum. He again stated consolidated is mandated by December 31, 2014. Commissioner Perkins stated other entities haven't been discussing payment. Mr. Meixell stated he and Attorney Elder are making progress with other entities. Attorney Elder stated Clarksville has been talking with them. Mr. Meixell stated monthly payment will come out of LOIT and 911 Fund. Commissioner Perkins made motion to approve. Commissioner Coffman seconded. Motion approved 2-0.

L. Sheriff's Business – None

M. Auditor's Report/Comments Auditor Snelling stated he needs to get the claims back from the Commissioners so that payments could be made on Friday.

Auditor Snelling stated he would look up the owner of the Southern Indiana Treatment Center.

Commissioner Perkins made motion to add a claim payable to Brian Dixon to the claims that were approved earlier in the meeting. Commissioner Coffman seconded. Motion approved 2-0.

Auditor Snelling asked about getting the form for County Engineer reimbursement. Commissioner Perkins made motion to allow Auditor Snelling to get the form. Commissioner Coffman seconded. Motion approved 2-0.

N. Attorney's Report Comments - None

O. Officeholder/Department Heads Present at Meeting – David Reinhardt, County Treasurer

P. Commissioner Perkins made motion to approve Les Kavanaugh and Wayne Carter to the Drainage Board. Commissioner Coffman seconded. Motion approved 2-0.

II. Technical Agenda

A. Jorge Lanz, Jacobi Toombs & Lanz introduced Tom Schellenberg Transportation Manager. Mr. Schellenberg updated the Commissioners on the Salem-Noble Road Reconstruction from S.R. 403 to S.R. 62 INDOT Des. Nos. 0400935 and 0500173.

B. Matters tabled from prior meetings - None

C. Hyun Lee presented Indiana Department of Transportation Report Of Contract Final Inspection And Recommendation For Acceptance Contract R-30970 Project 9910038 for signature. Commissioner Perkins made motion to approve. Commissioner Coffman seconded. Motion approved 2-0.

D. Brian Dixon, County Engineer stated the Farmington Property that was discussed in the Drainage Board meeting is in the County. Mr. Dixon asked if he could contact the property owner regarding sump pump discharge. Commissioner Coffman said "Yes."

III. Public Comments

William Fehribach, 104 N. Ferguson St., Henryville stated he has on tape Planning & Zoning making the statement that his land is landlocked and he has police reports also supporting that statement.

Commissioner Perkins made motion to adjourn. Commissioner Coffman seconded. Motion approved 2-0.

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

BOARD OF COMMISSIONERS OF
CLARK COUNTY, INDIANA

JACK COFFMAN, PRESIDENT

RICK STEPHENSON,
VICE-PRESIDENT

JOHN PERKINS, MEMBER

SIGNED THIS DAY _____

ATTEST: _____

R. MONTY SNELLING,
CLARK COUNTY AUDITOR