

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA
FEBRUARY 1, 2001**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on February 1, 2001 in Room 308, City-County Building, Jeffersonville, Indiana.

Present at the meeting were County Commissioners Dennis Hill, Raymond Parker, and David Lewis, Secretary/Administrative Assistant Pam Smith, County Attorney Scott Lewis, County Auditor Barbara Haas, and Deputy Auditors Margie Hommel and 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 regular meeting was called to order at 5:37 P.M. by President Dennis Hill.

In the first order of business a motion was made by Commissioner Lewis to approve and sign the minutes from the meetings of January 2, 2001 and January 19, 2001. The motion was seconded by Commissioner Hill and passed unanimously.

A motion was made by Commissioner Parker to approve payroll claims. The motion was seconded by Commissioner Lewis and approved 3-0.

Planning and Zoning Resolution 3/2001 (Reclassification from R-1 Single-Family Residential Zone to B-3 General Business Zone), **Planning and Zoning Resolution 5/2001**(Reclassification from A-1 Agricultural Zone to B-1 Limited Business Zone) and **Amendment No.4 to Ordinance No.10-1998** (An Ordinance Amending the Zoning Ordinance for Clark County, Indiana) were called for public hearing. Commissioner Lewis announced that he had to excuse himself from participation in this because of a conflict of interest. Commissioner Lewis stated that a client of his has a direct involvement in an issue that gave rise to the reason for discussing this Amendment so when this came before the Plan Commission he recused himself and he would not participate in this decision. Ramona Bagshaw, Executive Director Clark County Planning and Zoning informed the Board that all three were approved by the Planning Commission. No other persons spoke to the Board on these decisions. Commissioner Parker made a motion to approve Planning and Zoning Resolution 3/2001 (Reclassification from R- 1 Single-Family Residential Zone to B-3 General Business Zone), Resolution 5/2001 reclassification from A-1 Agricultural Zone to B-1 Limited Business Zone) and Amendment No.4 to Ordinance No.10-1998 (An Ordinance Amending the Zoning Ordinance for Clark County, Indiana). The motion was seconded by Commissioner Hill and carried with a vote of 2-0. Commissioner Lewis abstained from the vote.

Jill Saegesser, River Hills Economic Development District, appeared before the Board with an **Indiana Department of Commerce (IDOC) Community Development Block Grant (CDBG) Program Subrecipient Semi-Annual Report**. A motion was made by Commissioner Parker to approve and authorize President Hill's signature. The motion

was seconded by Commissioner Lewis and passed unanimously. Mrs. Saegesser also presented the Board with a verbal update on a grant application submitted by the previous Board of Commissioners to the Southern Indiana Housing Authority on behalf of the Southern Indiana Housing Initiatives for affordable housing. This is an update on a study that was done five years ago. Mrs. Saegesser stated that she hopes to have a recommendation to submit at the next Board of Commissioner's Meeting, which is February 15, 2001.

Mr. Tony Semones, Clark County Building Commissioner/Enforcement Officer, appeared before the Board in response to a request by Commissioner Lewis to report on the need for an unsafe or dilapidated building ordinance. Mr. Semones reported that several of the municipalities in the County do have ordinances that pertain to dilapidated or unsafe buildings pursuant to Title 36 of the Indiana Code. Commissioner Lewis explained that when this Board of Commissioner developed their outline of things that they wanted to accomplish one of the things was whether the County needed an unsafe or dilapidated building ordinance. Commissioner Lewis asked that Mr. Scott Lewis, County Attorney, and Mr. Semones review a need for such an ordinance and come back with some suggestions for the Board of Commissioners. Commissioner Hill asked that they investigate applicable statutes. Commissioner Parker suggested that they contact the Indiana Association of Counties for suggestions.

Mr. Don Miller, Vice President Economic Development Flint Group, appeared before the Board as Executive Director of I -65 Institute a Non- Profit Association. Mr. Miller made a presentation and requested the Board of Commissioner's consideration to support his Association's efforts as they continue to develop. Mr. Charles Long in the audience asked questions about the members and expressed his concerns.

A motion was made by Commissioner Lewis to ratify the Requisition for Additional Appropriation to the County Council for \$14,860.00 to fund the operations of the Drainage Board. The motion was seconded by Commissioner Parker and carried 3-0.

Mike Meyer, Clark County Health Department, appeared before the Board asking the Commissioners for support and suggestions in a situation in which a ten year old vehicle blew an engine. Mr. Meyer said that they will go before the County Council next week with a request for funding. Mr. Meyer presented the Board with a synopsis (see attached) on the 911 facilities. Commissioner Hill suggested that the Health Department initiate some cost analysis on these options with a time schedule as well as their suggestions.

Commissioner Lewis made a motion to approve and authorize President Hill's signature on a **Grant Agreement** between the State of Indiana and The Clark County Health Department to enable the State to make a grant from the **State of Indiana's Sexually Transmitted Disease Fund**. The motion was seconded by Commissioner Parker and carried 3-0. The grant is funded 100% from state money.

Mr. Jorge Lanz, Jacobi, Toombs & Lanz, appeared before the Board at the request of Mr. Hyun Lee, County Engineer, regarding projects that his company is working on for the County. (See 2001 project status report attached)

President Hill signed a request for time extension (**Contractor LFG& E**) on the **Clark Floyd Landfill Gas Extraction System**. A vote was not necessary because the request was approved at the prior meeting of January 18, 2001. (See request attached)

Mr. Roy Richardson appeared before the Board requesting that when the County replaces road signs in the County they include the block numbers. Mr. Hyun Lee, County Engineer stated that he has no problem making signs. The problem is that he does not have maps that indicate the block numbers. Ramona Bagshaw, Executive Director Planning and Zoning, explained that they have major problems because we have numbers that are out of sync. Ms. Bagshaw also explained that the Planning and Zoning Office has not always had the responsibility of assigning street numbers to lots. In years past other agencies, including the post office, have assigned addresses that aren't noted on the maps in the Planning and Zoning Office. As a result, there are places in the County where house numbers are out of sequence. The objective is to make it easier for emergency personal to locate houses in emergencies. If street sign block markings inadvertently direct an ambulance or fire engine the wrong way because house numbers are assigned out of order, the objective is not met. In fact the problem can be compounded and the County could be exposed to liability. After discussion, the Commissioners decided that they need to research the problem and see how bad it is, as well as check with the Sheriff's Office to see if they can team up to solve this problem.

Mr. Ken Minett, Butler Fairman Seufert Consulting Engineers (BF& S), appeared before the Board requesting the Commissioner's consideration on future road or bridge services. No action was taken.

Mr. Hyun Lee, County Engineer, submitted a 2000 Clark County Highway Major Operation Summary Short/Long Range Plans and a Snow & Ice Control Policy Clark County Highway Department.

Mr. Hyun Lee, County Engineer, asked the Board for guidance pertaining to a 360-acre subdivision which will have over 900 lots. Mr. Lee requested that the County Contract with an engineer for this project for the purpose of planning and zoning. The funding for this project will come from the highway department. Commissioner Parker asked that they have a budget update monthly on this highway fund. Commissioner Lewis made a motion to approve a **Contract** with **Bernardin Lochmueller & Associates** subject to the review and approval of Mr. Lewis, County Attorney of the Contract form. The motion was seconded by Commissioner Parker and passed unanimously.

Mr. Bruce Carter, President, Bruce Carter Associates, LLC, along with **Mr. Shawn Smith** appeared before the Board with an update on the Highway Garage in New Washington and requesting an additional \$4,182.00 for addition to scope of work the garage site investigation. Mr. Smith reported that after they get the eligibility

determination they will submit a request for reimbursement for the full price of the project up to this point, which is in excess of \$140,000.00. There are some determinations to be made due to the fact that part of the work on the project was performed by County employees. Mr. Smith and Mr. Lee will calculate that according to the reimbursement guidelines. Commissioner Lewis made the motion to approve the additional monitoring well and to authorize President Hill's signature. The motion was seconded by Commissioner Parker and passed unanimously.

A motion was made by Commission Parker to approve and authorize President Hill's signature on a renewal of a **Contract with DMG Maximus for 2001**. DMS Maximus is a Consulting Company that assists the County with dealing with administrative issues on programs that involve federal funding. The cost of the Contract is related to the population of each County. The Cost for Clark County is \$9,500.00 per year. This cost is paid by federal programs, so there is virtually no cost to the County. County Auditor Barbara Bratcher Haas stated that she is in favor of this and what they recover will far exceed the yearly fee. The motion was seconded by Commissioner Lewis, and carried 3-0. This is funded through the Commissioner's budget.

Mr. Scott Lewis, County Attorney presented the Board with a prepared release and settlement agreement on a previous confidential litigation that went to mediation. Commissioner Lewis made a motion to authorize President Hill's signature and approval in accordance with the mediation settlement. Commissioner Parker seconded the motion and the vote was unanimous.

Mr. Scott Lewis, County Attorney, advised the Board that on January 26, 2001 he and Mr. Lee, County Engineer, met with **Mr. James Marshall of Emerald Development** in reference to the Norwest Wood Subdivision that was discussed at the January 19, 2001 meeting. At this meeting Mr. Marshall was informed specifically of his default in the performance agreement and of the action that the Commissioner's are planning to take. Mr. Marshall was given ten days from January 26, 2001 to submit a detailed plan to Mr. Lee's office for approval in complying with the unfinished improvements in this subdivision.

Mr. Jim Snook, Clark County Juvenile Detention, appeared before the Board with the Quarterly Report. Mr. Snook reported that this is a fifteen bed facility with an average attendance of nineteen children. The average number of Clark County children is fifteen. Mr. Snook also reported that he is gathering information for the Board and has a meeting scheduled for February 27, 2001 with Judges, Prosecutors, and Public Defenders to try and work out the problem of over crowding.

Commissioner Lewis made a motion to ratify the action taken to process a check in the amount of \$25,000.00 for postage. Said action taken prior to publication and Board approval of the claim. The motion was seconded by Commission Hill and passed unanimously.

The Clerk's monthly report for January 2001 was submitted for the record.

County Auditor Barbara Haas reported the 2000 report prepared by Jill Oca for the **Landfill Closure-Post Closure** to be mailed to IDEM was brought to the Auditor for review and signature. Since IDEM granted an extension this report was completed and filed timely.

A motion was made by Commissioner Lewis to table tile following appointments until a future date:

Drainage Board New Washington Fire Protection District Board River Hills Economic Development District Solid Waste Management District Tri County Fire Protection District

Due to the death of Mr. David Huff there is a vacancy to the **Clark Floyd Convention and Tourism Board**. Commissioner Lewis made a motion to appoint Mr. Huff's widow **Jan Huff** to fill the unexpired term of her deceased husband, which began January 15, 2000 and will end January 15, 2002. Commissioner Parker seconded the motion and the motion was carried 3-0.

Due to the death of Mr. Bill Vissing there is a vacancy to the **Regional Water and Sewer District**. A motion was made by Commissioner Parker to appoint **Mr. David Abbott** to serve out the unexpired term, which began February 1, 2001 and will end January 15, 2004. The motion was seconded by Commissioner Lewis and carried 3-0.

A motion was made by Commissioner Parker to appoint **Mr. Daniel Rodden** to the **Southern Indiana Economic Development Council** for a term beginning February 1, 2001 and ending January 31, 2002. The County Council appointed Mr. Rodden inadvertently, as the Commissioners have the power to make the appointment. Commissioner Parker stated that prior to taking office the Commissioners stressed that they wanted cooperation with the County Council and that he feels Mr. Rodden is a fine person and he will make a good representative. The motion was seconded by Commissioner Lewis and passed unanimously.

Commissioner Lewis made a motion to reappoint **Susan Popp, Paul Kraft, Mike Becher, Mike Meyer, William Scott and Bob Rogge** to the **Emergency Management Advisory Council** for a term of one year beginning February 3, 2001 and ending February 3, 2002. The motion was seconded by Commissioner Parker and passed by a vote of 3-0.

Mr. Charles Long spoke to the Board with concerns he has about the County. President Hill assured Mr. Long that he would listen to his concern.

Commissioner Lewis announced that the Commissioners have sent a letter inviting representatives from various sewer departments in the County to discuss the future of Clark County. Also they are sending a request to the utilities and other agencies in the County to help the Commissioners determine the needs involved in a new comprehensive plan.

Mrs. Pam Smith, Secretary/Executive Director informed the Commissioners that they did receive the **Board of Aviation's annual report.**

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

BOARD OF COUNTY COMMISSIONERS CLARK COUNTY, INDIANA

**DENNIS HILL, PRESIDENT
RAYMOND PARKER, MEMBER
DAVID LEWIS, MEMBER**

SIGNED: March 1, 2001

ATTEST: BARBARA HAAS CLARK COUNTY AUDITOR