

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, INDIANA
APRIL 12, 2001**

The Board of County Commissioners of Clark County, Indiana met in Regular Session on April 12, 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, 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 5:56 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 meeting of March 15, 2001. The motion was seconded by Commissioner Parker and passed 3-0.

A motion was made by Commissioner Parker and seconded by Commissioner Lewis to approve and sign accounts payable registers. The motion was carried 3-0.

A motion was made by Commissioner Lewis to approve and sign payroll claims. The motion was seconded by Commissioner Parker and passed unanimously.

Commissioner Lewis made a motion to approve the expenditure of \$12,975.00 from the Cumulative Capital Development Fund for computer upgrades in **Superior Court #2**. The motion was seconded by Commissioner Parker and passed 3-0.

A motion was made by Commissioner Lewis to follow the recommendation of the Planning Commission to deny **Planning and Zoning Resolution 12/2001 John D. & Charlotte Nicholson**. No persons spoke to the Board in favor of this Resolution. **Mr. Alan Morris Attorney** spoke in opposition of the Resolution representing his client. The motion was seconded by Commissioner Parker and passed 3-0.

At the request of **Mr. Dave Trotter, County Extension Office**, Commissioner Lewis made a motion to approve and sign the **Annual Extension Contractual Services Agreement** between Purdue University and Clark County, Indiana. Mr. Trotter stated that the money has been appropriate by The County Council. The motion was seconded by Commissioner Parker and passed unanimously.

A motion was made by Commissioner Parker to approve and sign the **Indiana Coalition on Housing and Homeless Issues, Inc. and Clark County Agreement for Consulting Services**. Mrs. Jill Saegesser, River Hills Economic Development, explained that this is in reference to a \$50,000.00 grant in which the \$5,000.00 match is provided by the **Southern Indiana Housing Initiative**. The Southern Indiana Initiative is made up of

various local agencies such as Haven House and New Hope Services. The motion was seconded by Commissioner Lewis and carried 3-0. Pertaining to the same grant Commissioner Parker made a motion to approve and sign an Agreement for Professional Services between the Clark County Commissioners and River Hills Economic Development District along with the Regional Planning Commission. The Grant is for \$50,000.00 with the local match of 10%. The Contract with River Hills is \$5,000.00. Mr. Scott Lewis reported that he has reviewed these Contracts and that they are satisfactory. The motion was seconded by Commissioner Lewis and unanimously carried.

Ms. Wendy Tackett, Children's Protective Services, Clark Memorial Hospital, appeared before the Board with a request for the Commissioners to sign a Grant Application to the Criminal Justice Institute as the legal applicant. The Grant is in the amount of \$68,193.00 with a total match of 20% which is paid by Clark Memorial Hospital. Ms. Tackett also asked that the Auditor sign as financial officer. Ms. Tackett explained that the funds will come through the Auditor's Office to the hospital which will distribute them. This grant is to provide medical counseling services for children. A motion was made by Commissioner Lewis to approve and sign this grant application understanding that there is no cost to the County. Commissioner Parker seconded the motion and it passed 3-0.

A motion was made by Commissioner Parker to approve and sign three grant applications for the Health Department.

1. AIDS 109-4 Acquired Immunodeficiency Syndrome (AIDS) of up to \$27,269.00.
2. AIDS-109-7 Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (HIV/AIDS) AIDS Prevention Fund of up to \$25,000.00.
3. WIC/S 109-9 Indiana Woman, Infants, and Children (WIC) Farmers' Market Nutrition program in the amount of \$25,000.00.

Commissioner Lewis made a motion to second the motion and it was passed 3-0.

Mr. Elmer Hoehn, President of the Clark County Regional Water and Sewer District, appeared before the Board and expressed the urgency of supplying information regarding a petition filed with IDEM. Mr. Hoehn reported that last year Aqua Source had indicated to the Clark County Regional Water and Sewer District that they would lend their professional resources to the Board to assist the Board's Certified Executive Director to develop and operation plan. Mr. Hoehn also reported that Aqua Source has been unresponsive and non-communicative. The Clark County Regional Water and Sewer District's Board, a Clark County Government Agency responsible to the Board of Commissioners now reports these facts and requests an immediate decision on engaging, another consultant who will provide the professional services necessary in the short time frame remaining before the submission of the requested information and complying with the modified order. Mr. Hoehn recommended Mr. Ward Wilson, Bernardin Lochmuller, who is professionally qualified to prepare the information requested by the IDEM modified order. Commissioner Parker made a motion to have Mr. Hoehn negotiate with

Mr. Ward Wilson to determine a price for these services and report back to the Board. The motion was seconded by Commissioner Lewis and passed 3-0.

Mr. Paul Bryant, Bruce Carter Associates, presented the Board with an update on the New Washington Highway Department Garage underground storage tank project. Mr. Bryant reported that they have completed the field work necessary on this project and are ready to submit it to IDEM so they can begin the reimbursement project. Mr. Bryant explained that there will be a \$35,000.00 deductible by IDEM before the reimbursement. After the site has been characterized the claim will be submitted to IDEM and they will put together a corrective action plan. No action was taken by the Board.

Mr. David Ripple, Chief of Transportation, Bernardin and Lochmuller, appeared before the Board with a pre-summary of a traffic impact study. No action was taken by the Board.

Mr. Scott Stephens, Director Plexis Co., appeared before the Board with an update on a **GIS System** (Geographical Information System). Mr. Stephens reported that it might be possible to have the City of Jeffersonville, Town of Clarksville, or KIPDA (Kentucky and Indiana Planning Development Agency) share aerial map data with the County. Mr. Stephens also made a recommendation to do a needs assessment for the County. Commissioner Hill suggested that Mr. Stephens investigate this by contacting KIPDA. No action was taken by the Board.

Mr. Roy Richardson appeared before the Board as a follow up on the matter of block numbers on road signs which he presented to the Board on February 1, 2001. Mr. Richardson suggested that the police issue warning tickets to people who have not posted their house numbers. The Commissioners directed Mr. Hyun Lee, County Engineer, to include the block numbers on street signs that are replaced and on new subdivision street signs. If Planning and Zoning indicates that there is a discrepancy in the number on a certain block Mr. Lee is to report back to the Board so that they can make a decision as to whether there is a need to reissue new address numbers.

At the recommendation of Mr. Hyun Lee, County Engineer, Commissioner Parker made a motion to accept all the roads in Covered Bridge as county maintained roads with the stipulation that the roads be maintained, including snow removal, by Covered Bridge for two years. After the two year period the roads will be inspected by the County Engineer and added to the Highway inventory. The motion was seconded by Commissioner Lewis and carried 3-0.

Mr. Hyun Lee, County Engineer, submitted the **Snow and Ice Control Policy for the Clark County Highway Department**. Mr. Lee clarified that in the case of damage to a private property owner's mailbox, the Clark County Highway Department will take responsibility for damage only if the snowplow runs over the mailbox. It is the responsibility of the property owner to make sure that the mailbox will withstand the pressure of the snow. At the recommendation of Mr. Lee and Mr. Scott Lewis, County

Attorney, a motion was made by Commissioner Lewis and seconded by Commissioner Parker to approve this policy. The motion was carried 3-0.

County Engineer, Hyun Lee, submitted the **2001 Preliminary Paving List** to the Board for review. Commissioner Lewis stated that he would like to set up a time to go out for an inspection because they need more information before the list is approved.

Commissioner Hill reported that the Town of Clarksville is preparing to participate in the **Lewis & Clark Bi-Centennial Celebration in 2003** and they have asked the Commissioners for help in funding road repairs as well as funding for the celebration. The Commissioners reported that they have asked the appropriate people to research if there are any grant monies available for this project.

A motion was made by Commissioner Parker to approve and sign **Commissioner's Ordinance 2-2001 "An Ordinance establishing a vehicle tow in fee for the Clark County Sheriff's Office"** and **Commissioner's Ordinance 3-2001 "An Ordinance Establishing an "Infraction User Fee Fund" for the benefit of the Office of the Prosecuting Attorney"** (see Commissioner's Ordinances). The motion was seconded by Commissioner Lewis and passed 3-0. Commissioner Lewis seconded the motion and it passed unanimously.

Commissioner Lewis made a motion to approve and sign **Commissioner's Ordinance 5-2001 "An Ordinance Establishing an Inmate Processing Fee for the Clark County Sheriff's Office"** (see Commissioner's Ordinances). The motion was seconded by Commissioner Parker and carried 3-0. Commissioner Parker seconded the motion and it passed unanimously.

A motion was made by Commissioner Lewis to approve and sign **Commissioner's Ordinance 4-2001 "An Ordinance Regarding Insurance Payments"** (see Commissioner's Ordinances). The motion was seconded by Commissioner Parker and carried 3-0. Commissioner Parker seconded this motion and it was carried 3-0.

County Attorney Scott Lewis and Mr. Hyun Lee, reported to the Board that the work on the access road at the **4-H fairground property** has been completed.

Sheriff Mike Becher informed the Board that he has set up a meeting with local Conservation Officers to get their input on the proposed Ordinance to allow all terrain vehicles on County roads. Sheriff Becher will get back with the Board after that meeting.

At the request of Sheriff Becher, Commissioner Lewis made a motion to accept the application and authorize Sheriff Becher to follow up on the **Stop Violence Against Women Grant** in the amount of \$33,042.00. This Grant does not require match funds. The motion was seconded by Commissioner Parker and passed 3-0.

Commissioner Parker made a motion to approve an Agreement with the **Federal Government called a Federal Equitable Sharing Agreement**. Under this agreement if

the Federal Government were to come into Clark County and confiscate anything we would be entitled to one half. This is an ongoing agreement in which the County agrees to monitor these accounts. The motion was seconded by Commissioner Lewis and passed 3-0.

Sheriff Becher made a request for two lawnmowers for the inmates to continue mowing the grass at the City County Building. The Board decided to look into getting the funds and get back to Sheriff Becher.

The Treasurers monthly report for March 2001 and the Clerks monthly report for December 2000 were submitted for the record.

Commissioner Lewis made a motion to approve the release of the bid bond for shelving to **Shelf Plus**. Judges Daniel F. Donahue, Jerome Jacobi, Cecile A. Blau and Steven M. Fleece have signed a memorandum for release. The motion was seconded by Commissioner Parker and passed 3-0.

Pursuant to I.C. 36-9-14.5-8(c), the Board found that the expenditure from the Cumulative Capital Development Fund is necessary, and approve hereby, to protect the public health, welfare, or safety. Commissioner Parker made a motion to ask for additional appropriations in the amount of \$100,000.00 from the Cumulative Capital Development Fund to add to the **care of inmates fund**. The Commissioners received a bill in the amount of \$136,000.00 for the months of July thru December 2000 and they have approximately \$57,000.00 in this fund at this time. They will receive a bill in July 2001 for approximately \$136,000.00 for the months of January thru June of 2001. It is necessary to leave a balance in the fund because they also receive bills on a regular basis for other out of County inmates. It will be necessary to go before the County Council for approval on this expenditure. The motion was seconded by Commissioner Lewis and passed 3-0.

A motion was made by Commissioner Parker to appoint **Mr. Jeff Beckort** to the Tri Township Fire Protection District for a four year term beginning April 12, 2001 and ending the first Monday of January 2005. The motion was seconded by Commissioner Lewis and passed 3-0.

Commissioner Parker made a motion to appoint **Mr. Chester Copeland** to the Animal Shelter Advisory Committee for a term beginning April 4, 2001 and expiring April 3, 2002. The motion was seconded by Commissioner Lewis and passed unanimously.

A motion was made by Commissioner Lewis to appoint **Mr. Rex Lockard, Mr. Homer Smith and Ms. Faye Allen to the Wage Determination Board**. The motion was seconded by Commissioner Parker and passed 3-0.

Commissioner Lewis reported that there was a meeting of the committee of the **bi-centennial celebration** for Clark County July 7, 2001. Ms. Shirley Nolot, Clark County Recorder, is the Chairperson on that committee. They hope to have the Governor and

Congressman Hill attend this celebration. Prior to celebration they are planning a flag contest in which they hope to have a donation of a five hundred dollar savings bond as the prize. They hope to have a flag prepared to present at the ceremony. If the weather permits they hope to have speeches and food vendors outside.

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 COMMISSIONERS
CLARK COUNTY, INDIANA**

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

SIGNED THIS DAY: MAY 10, 2001

ATTEST: BARBARA HAAS, CLARK COUNTY AUDITOR