

**REGULAR MEETING BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY INDIANA
JULY 12, 2007**

The Board of County Commissioners of Clark County, Indiana, met in Regular Session on July 12, 2007, in Room 404, Clark County Government Building, Jeffersonville, Indiana.

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

Approval of Minutes

The minutes for the meeting of June 14, 2006, having been mailed to the Commissioners and Attorney 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 Guthrie to approve the payroll claims as submitted. The motion was seconded by Commissioner Moore and passed 3-0.

Public Comment

Ms. Theresa Shaw, Dove Drive, Jeffersonville, spoke in favor of recycling.

Mr. Dave Frey, Cypress Drive, Jeffersonville, asked the following questions of the Commissioners:

1. What percentage of the County population is against mandatory recycling the way it was previously handled?

2. Out of the small percentage that was against it, how many did not follow the rules and that's why they are upset about it, and the County had to take them to court?

3. If the Commissioners are worried about taking people to court and forcing them to pay large fees, why not put it on the tax rolls?

4. What is the approach to put the cost of mandatory recycling on the tax rolls? Can the taxpayers say that they want it on the tax rolls?

Mr. Frey stated that his opinion is that you can't make everyone recycle but you can make them pay. If they do not pay you should put a lean on their property.

Mr. Jack Coffman, Tom Evans Road, stated that he is was favor of recycling but feels that there should be some changes in the way the billing was handled. Mr. Coffman brought to the Commissioners attention that a person purchased a multi-residential building recently and then received a bill for five hundred dollars for past recycling service. Mr. Coffman stated that this is an example of the problems with the billing. Commissioner President Meyer took the bill from Mr. Coffman and agreed to have it researched.

Mr. Kelly Conn, Potters Lane, Clarksville, thanked Commissioner Moore for attending the recent Clarksville Town Council Meeting regarding recycling and offered his help to the Commissioners in their efforts to resolve this matter.

Mr. Mark Crum, Sellersburg, Indiana, spoke in opposition of mandatory recycling.

Mr. Walter Crum, Sellersburg, Indiana, spoke in opposition of mandatory recycling.

Mr. Mark Sickles informed the Commissioners that even though he was billed and paid for recycling, he did not receive service. **Mr. Sickles** stated that he was told that he did not receive service because the truck would be not come on his road to pick up his recycle. **Mr. Sickles** stated that he did not feel that he should have to pay for a service that he did not receive.

New Business

Clerk's Cable Modem Access

At the recommendation of **Mr. Matt Dyer, Clark County Systems Administration**, Commissioner Moore made a motion to approve a separate cable modem access for the Clerk's Office. The cost involved will be paid by the Clerk. The motion was seconded by Commissioner Guthrie and passed 3-0.

Transfer of Funds

At the request of **Jeremy Mull**, a motion was made by Commissioner Guthrie to authorize a **transfer of funds** from the Drug Free Community Fund to the ICJG Drug-Prosecutor Fund and forward it on to the County Council for approval. The motion was seconded by Commissioner Moore and passed 3-0.

Old Business

Lifesprings Mental Health Services

Mr. Lavois Davis, Lifesprings Mental Health Services, informed the Commissioners that he went to a County Council Meeting with a request for payment for 2005, 2006, 2007 and 2008, contracts for mental health services for the jail inmates. **Mr. Davis** stated that the County Council sent him back to the Commissioners because they could not approve payment without a signed contract. **Mr. Davis** stated that the services have been rendered and made a request that the Commissioners approve a contract for 2007 and 2008. **Mr. Davis** presented copies of contracts for 2005 and 2006, and stated that both have been submitted to Attorney Moore. Commissioner Meyer stated that the Commissioners could not approve payment of the contract without an appropriation. Commissioner Meyer stated that he will

send a letter to the County Council asking them to appropriate the funding. County Council Person, Barbara Hollis, stated that it would be very helpful if Commissioner Meyer would include the dollar amount that the Commissioners would approve. Mr. Davis stated that the services would no longer be rendered if the contract is not approved. Commissioner Moore questioned the different dollar amounts mentioned for the yearly contracts.

Solid Waste Hauler Permit

Mr. Gary Schneider, Kentuckiana Trucking Company, informed the Board that he no longer hauls solid waste in Clark County. The Commissioners requested that Mr. Schneider submit a letter to that effect to insure that he be taken off the mailing list for waste haulers.

Clark County Drainage Board

Mr. Brian Dixon submitted the **Clark County Drainage Board's Quarterly Report**. **Mr. Dixon** and **Mr. Steve Hall** made a request that the Commissioners pay invoices from **FMSM (Fuller, Mossburger, Scott and May)** of approximately seventy thousand dollars (\$70,000.00) and then turn over the remaining portion of the two hundred thousand dollars (\$200,000.00) from the Edit Fund that the County Council designated for the Commissioners to use to the control of the Drainage Board. Attorney Moore stated that he had been asking for enabling language that the Drainage Board has suggested defining the link between the Commissioners and the Drainage Board. The Board took this request under advisement until the next meeting.

Rod Pate and **Barbara Hollis** were on the agenda regarding poll workers pay increase, but left the meeting planning to return at the next meeting.

Draft Ordinance 8-2007

At the meeting of June 28, 2007, Attorney Moore presented **Draft Ordinance 8-2007** to the Board as they had requested at a prior meeting. At that time the Commissioners moved to take the ordinance under advisement until this meeting. Attorney Moore stated that the Board would have to act on an effective date and the penalties section of the ordinance. Commissioner Moore recognized **Michael Sweeten, Rumpke, Jim McNalley, Waste Management and Brian Slade, Industrial Disposal**. Commissioner Moore distributed a handout and proposed that the Commissioners offer a long term contract with **Inland Services** as the County's sole recycle collection provider. In this proposed contract provider Inland Services would bill and collect all revenue generated from this program.

A representative from **Inland Services** stated that he is not interested in a contract where he would do the billing and collecting the revenue, but would appreciate to an opportunity to analyze this information and present a price at a later date.

Attorney Moore advised that the only issued letter by the Commissioners to the waste haulers was a letter requesting that they deliver written pricing and that interlocal jurisdiction, in this matter, must be studied and evaluated. He also said the County cannot impose contract relationships in city and town government unless there is an interlocal agreement like the one the Commissioners just pulled out of and it would require the cooperation of the cities and towns.

Mr. Charles Teeple stated that the bins are full and scattered on the ground.

A representative from **Inland Services** stated that the bins are checked daily and emptied when full.

Commissioner Moore reported that **McCulloch Fire Department** has reconsidered and agreed to have a recycle bin placed at the fire house on a temporary basis.

Terry Sprigler, Starlight, Indiana, questioned who separates the recycle.

John Roland suggested that voluntary recycle fees be paid on a yearly basis at the beginning of the year and pointed out that there will always be some that are against recycling.

Susan Popp spoke in favor of mandatory recycling.

Commissioner Moore suggested that bins with wheels are available to the elderly when the voluntary recycle begins. Commissioner Meyer addressed the questions asked previously in the meeting **Mr. David Frey** earlier in the meeting as follows:

1. Question... What percentage of the County population is against mandatory recycling the way it was previously handled?

Answer... I have no idea how many are against mandatory recycling.

2. Question Out of the small percentage that was against it, how many did not follow the rules and that's why they are upset about it and the County had to take them to court?

Answer... Hundreds were taken to court.

3. Question... If the Commissioners are worried about taking people to court and forcing them to pay large fees, why not put it on the tax rolls?

Answer... The Commissioners are not in favor of putting it on the tax roll.

4. Question... What is the approach to put the cost of mandatory recycling on the tax rolls? Can the taxpayers say that they want it on the tax rolls?

Answer... You would have to go to the Solid Waste District Board.

Mr. Steve Mason, Charlestown, Indiana, spoke in favor of mandatory recycling.

Mr. David Roth Stevens, Borden, Indiana, spoke in favor of mandatory recycling.

An unidentified person spoke in favor of mandatory recycling and suggested that the State investigate the recycling.

Commissioner President Meyer called for a motion to approve **Commissioner's Ordinance 8-2007**. A motion was not made by the Board.

Commissioner President Meyer again called for a motion to approve **Commissioner's Ordinance 8-2007**. A motion was not made by the Board.

At a motion by Commissioner Moore, seconded by Commissioner Guthrie and a vote of 3-0, the Board moved to table decision on **Commissioner's Ordinance 8-2007** until the Meeting of July 26, 2007.

Community Corrections

Ryan McGregor, Community Corrections, gave the Community Corrections monthly report. Mr. McGregor stated that the Community Corrections Board had chosen a different program manager than the one chosen by the **Community Corrections Advisory Board** and that this person will be coming in for a second interview next week. When the Commissioners questioned this action **Community Corrections Advisory Board Member Barbara Hollis** joined Mr. McGregor in reporting that the Community Corrections Advisory Board was told that the program manager was to be chosen by the grant administrator. Attorney Moore advised that the Community Corrections Advisory Board is a board created by the County Executive (County Commissioners) as an advisory board to the Executive. A motion was made by Commissioner Moore to instruct the Community Corrections Advisory Board to hire **Danille Grissett** as the program manager for the work release facility. The motion was seconded by Commissioner Guthrie and passed 3-0.

Treasurer's Monthly Report

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

2008 Salary Ordinance

At a motion by Commissioner Moore, seconded by Commissioner Guthrie and a vote of 3-0, the Board voted to approve the **2008 Salary Ordinance** requested by the department heads and recommended that they be forwarded to the County Council for review.

A motion was made by Commissioner Moore to table decision on a pay increase for pole workers and the possibility of doing away with the **Sheriff** at the polling locations. The motion was seconded by Commissioner Guthrie and passed 3-0.

Commissioner Moore stated that he still has concerns about a tree in **Bethlehem** that might be a safety issue. Commissioner Moore first addressed the concern in January 2007. No action was taken by the Board.

The Board discussed the situation with **Lifesprings** and expressed the importance of getting contract services restored. County Council Person Barbara Hollis stated that the County Council did not move to pay Lifesprings because even though they were presented with a series of contracts, none of them were signed or have the same contract amount. Ms. Hollis also stated that none of the Council persons were against paying Lifesprings and when there is a signed contract in place and the Commissioners have set a contract amount, President Abbott is willing to call a special meeting for the Council to consider the contract. Attorney Moore stated for the record that the mental health contract was a part of the settlement on the first jail expansion and that service must be maintained.

A motion was made by Commissioner Meyer to send a letter to **Congressman Baron Hill, Senator Evan Baugh and Senator Richard Lugar**. The motion was seconded by Commissioner Guthrie and it passed 3-0.

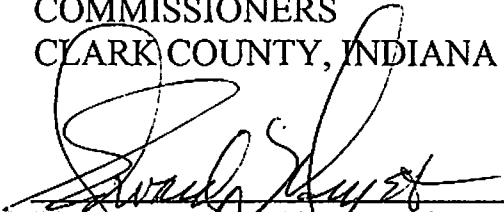
Commissioner Meyer made a motion to send a letter to **Kenny Evans** regarding the property at **Third Street and Chestnut Street** informing him that he has sixty days to clean up the remains of a burned out building. The motion was seconded by Commissioner Guthrie and passed 3-0.

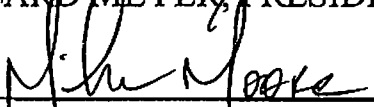
Central Alarm (911) would like to be notified when someone comes in for a building permit on a commercial building.

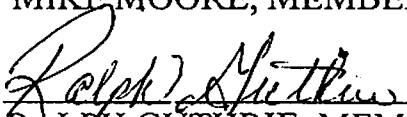
To the extent the Board held an executive session of any type under (I C 5-14-1.5-6) or otherwise, the Board hereby certifies that no subject matter was discussed therein except that posted in the notice for session or meeting (I C 5-14-1.5-6.1).

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

BOARD OF CLARK COUNTY
COMMISSIONERS
CLARK COUNTY, INDIANA


EDWARD MEYER, PRESIDENT


MIKE MOORE, MEMBER


RALPH GUTHRIE, MEMBER

SIGNED THIS DAY

ATTEST:


BARBARA BRATCHER HAAS
CLARK COUNTY AUDITOR

